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MUR # 7081

Daniel J. Petalas  
Acting General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

OFFICE OF GENERAL  
COUNSEL

Re: Request for Investigation of Congressman Patrick Murphy, Nicholas A. Mastroianni II, Floridians for a Strong Middle Class (a Super PAC Supporting Rep. Patrick Murphy), Pride United Limited Partnership, Chic Boutique, LLC, Mark Giresi and Jennifer May, in her Capacity as Treasurer of the Murphy Super PAC, for Multiple Violations of 52 U.S.C. §§ 30121 and 30122 and 11 C.F.R. §§ 110.4(b) and 110.20

Dear Mr. Petalas:

Pursuant to 52 U.S.C. § 30109(a)(1), I hereby request that the Federal Election Commission initiate an immediate investigation of Congressman Patrick Murphy, Nicholas A. Mastroianni II, Floridians for a Strong Middle Class (a Super PAC supporting Rep. Patrick Murphy), Pride United Limited Partnership, Chic Boutique, LLC, Mark Giresi and Jennifer May, in her capacity as treasurer of the Murphy Super PAC, for multiple violations of 52 U.S.C. §§ 30121 and 30122 and 11 C.F.R. §§ 110.4(b) and 110.20.

The gist of this complaint is that Mastroianni orchestrated a scheme to funnel more than \$100,000 into Patrick Murphy's political campaign through shell companies and straw entities (in some cases, already dissolved) to obscure the source of the funds, which appears to be a Chinese national or nationals participating in Mastroianni's EB-5 "cash for citizenship" program. This is illegal under federal election law not only because the shell companies had no legal existence, but also because the actual source of funds was hidden and because Chinese nationals cannot make such contributions. In return for these illegal contributions to Murphy's campaign and his Super PAC, Murphy co-sponsored legislation for Mastroianni's benefit, met with an attorney and other representatives of Chinese nationals seeking EB-5 citizenship (who then may have contributed through these shell companies to Murphy's campaign), and contrived to insert legislation favorable to Mastroianni and these Chinese nationals into other bills. In essence, Murphy procured campaign contributions by promoting Mastroianni's EB-5 business and seeking citizenship for these Chinese nationals.

(By way of background, Murphy's company Coastal Construction has benefitted from EB-5 financing for real estate developments such as those pushed by Mastroianni and others. Murphy served as Vice President of Coastal Construction and still holds as much as \$5 million in company stock, and Murphy's family members own and control the business.<sup>1</sup> Thus Murphy's official actions on relating to the EB-5 program directly and corruptly benefited him personally, his family, and his family business. Also, Mastroianni has been sued for fraudulent misuse of EB-5 funds?)

Nicholas A. Mastroianni II is a major contributor to Friends of Patrick Murphy, the principal campaign committee of Patrick Murphy's campaign for the U.S. Senate, and the managing

member of the 230 East 63<sup>rd</sup>-6 Trust, LLC. Floridians for a Strong Middle Class is an independent expenditure-only committee ("Super PAC") supporting Patrick Murphy's campaign for the U.S. Senate. Jennifer May is the treasurer of Floridians for a Strong Middle Class.

Pride United Limited Partnership is a Florida limited partnership that contributed to Floridians for a Strong Middle Class after it was administratively dissolved. Chic Boutique, LLC is a Delaware entity transacting business in Florida that was likely used by Nicholas Mastroianni or his associates to contribute straw donations to Floridians for a Strong Middle Class. Chic Boutique's registered agent lists the same address as Mastroianni's business by the name of Allied Capital & Development. Chic Boutique's manager and registered agent, Mark Giresi, is the general counsel for Mastroianni's U.S. Immigration Fund.

The Federal Election Campaign Act ("FECA") and Federal Election Commission ("FEC") regulations prohibit foreign nationals from making any contribution, expenditure, independent expenditure or disbursement in connection with any Federal, State or local election, including any contribution to a Super PAC. 52 U.S.C. § 30121(a)(1); 11 C.F.R. §§ 110.20(b)&(f). In addition, FECA and FEC regulations prohibit a Super PAC from soliciting, accepting or receiving a contribution from a foreign national. 52 U.S.C. § 30121(a)(2); 11 C.F.R. §§ 110.20(g)&(h).

FECA and FEC regulations also prohibit a person from making a contribution in the name of another person. 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b)(1)(i). The statute and regulations also prohibit a Super PAC from knowingly accepting a contribution made by one person in the name of another person. 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b)(1)(iv). A contribution in the name of another occurs "whether accomplished through the advancement or reimbursement of funds." *U.S. v. O'Donnell*, 608 F.3d 546, 551 (9th Cir. 2010), *cert. denied*, 131 S. Ct. 1837, 179 L. Ed. 2d 794 (2011).

Nicholas A. Mastroianni II has a long and troubled history of abusing the federal EB-5 Regional Center program to raise money from wealthy Chinese foreign nationals seeking to invest in real estate in the United States.<sup>3</sup> Mastroianni first established the U.S. Immigration Fund Florida Regional Center in 2010 to raise foreign money for the Harbourside Place development in Jupiter, Florida. Harbourside Place is in the 18<sup>th</sup> Congressional District represented by Rep. Patrick Murphy (D-FL).

Mastroianni has become a prominent political supporter of the EB-5 Regional Center program. "Since 2010, he has donated more than \$130,000 to congressional candidates around the country and Democratic party groups."<sup>4</sup> During that same time period, Mastroianni and members of his immediate family have contributed a total of \$34,700 to Rep. Murphy's campaign committee and leadership PAC.

From 2013 through 2015, at a time Mastroianni was using EB-5 to develop real estate projects and was donating to Patrick Murphy's political campaigns and PACs, Patrick Murphy was deeply involved in discussions and legislation related to the EB-5 program. On June 28, 2013, Patrick Murphy met with Chinese Immigration Agency delegates to discuss supposed shortcomings related to the EB-5 program.<sup>5</sup> The delegates, who represented 70% of the Chinese EB-5 markets,

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presented a paper to Congressman Alcee Hastings and Congressman Murphy that identified five areas of potential "improvement" to the EB-5 program, making the program more beneficial to them and Mastroianni.<sup>6</sup> Congressman Murphy discussed these issues with the EB-5 delegates and agreed that further investigation was required to help "champion positive reform" for all parties involved in the EB-5 program.<sup>7</sup>

On August 29, 2014, Murphy met with New York-based, Chinese immigration attorney Liu Yu to discuss EB-5 "reform" legislation.<sup>8</sup> Patrick Murphy discussed with Mr. Yu strategy and timing for advancing legislative reform of the EB-5 program, such as attaching EB-5 reform to other legislative initiatives since Murphy said that he believed such reform could not pass as stand-alone legislation.<sup>9</sup>

In early 2015, Patrick Murphy touted the EB-5 program, stating that "the EB-5 program is a small program that I believe during a downed economy is important to stimulating our local economy."<sup>10</sup> At no point did Murphy disclose the fact that his construction company was receiving millions of dollars in Chinese EB-5 "cash for citizenship" money.

In 2014, Mastroianni was particularly interested in a bill, H.R. 4659, which would have made the EB-5 Regional Center program permanent. Rep. Patrick Murphy became one of only seven cosponsors of that bill on September 15, 2014. The following month, a member of Mastroianni's family, Audrey Mastroianni, made her first federal political contribution, giving the maximum legal contribution of \$2,600 to Rep. Murphy's campaign committee for the 2014 general election. (Mastroianni himself had already contributed \$2,400 to Murphy's 2014 general election campaign and could not, legally, contribute more than \$200 to Murphy again for cosponsoring H.R. 4659.) Shortly thereafter, Mastroianni became the subject of a lawsuit by his former chief financial officer and business partner, David Finkelstein, alleging that Mastroianni fraudulently used money from foreign investors in violation of the rules governing the use of investment funds raised through the EB-5 Regional Center program.<sup>11</sup>

There is substantial reason to believe that Mastroianni may have used funds obtained from a Chinese foreign national through the EB-5 Regional Center program to make two contributions totaling \$50,000 to the Super PAC supporting Rep. Patrick Murphy, Floridians for a Strong Middle Class. On February 14, 2014, Mastroianni registered the 230 East 63<sup>rd</sup>-6 Trust, LLC with the Florida Secretary of State's office.<sup>12</sup> Mastroianni is listed as the manager of 230 East 63<sup>rd</sup>-6 Trust, LLC.<sup>13</sup> On October 30, 2014, Mastroianni, on behalf of 230 East 63<sup>rd</sup>-6 Trust, LLC, purchased a penthouse apartment in a luxury condo building at 230 East 63<sup>rd</sup> Street in New York City.<sup>14</sup> The listed sales price for that penthouse apartment was \$4,008,900.<sup>15</sup> After the transaction was completed, Mastroianni filed articles of dissolution for 230 East 63<sup>rd</sup>-6 Trust, LLC with the Florida Secretary of State's Office.<sup>16</sup>

At the time that Mastroianni purchased the penthouse apartment, it was well-known that crooked business people and corrupt politicians from all over the world were using limited liability companies like 230 East 63<sup>rd</sup>-6, Trust, LLC to launder ill-gotten funds into the United States by purchasing luxurious Manhattan apartments.<sup>17</sup> It was also well-known at that time that Chinese foreign nationals made up the majority of the foreign investors using this method to

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purchase luxury apartments in Manhattan.<sup>18</sup> It appears highly likely that Mastroianni established the 230 East 63<sup>rd</sup>-6 Trust, LLC to purchase the penthouse apartment for a Chinese foreign national utilizing the EB-5 program to invest in U.S. real estate.

On September 2, 2015, Mastroianni made two contributions totaling \$50,000 to Floridians for a Strong Middle Class, the Murphy Super PAC, in the name of 230 East 63<sup>rd</sup>-6 Trust, LLC.<sup>19</sup> Since the LLC was used solely to purchase the penthouse apartment and then dissolved, there is no reason to believe that, at the time these contributions were made to the Murphy Super PAC, the LLC had any funds generated within the United States of its own to contribute. Accordingly, the \$50,000 contributed to the Murphy Super PAC must have come from either a foreign national who used the LLC to purchase the penthouse or from Mastroianni, who, as manager of the LLC, had access to and control over the bank account used to purchase the penthouse. If the true source of the \$50,000 contributed to the Murphy Super PAC was a Chinese foreign national it would constitute an especially egregious violation of FECA's prohibition on foreign national contributions in federal elections<sup>20</sup> – the first known contribution by a foreign national to a federal Super PAC following the Supreme Court's *Citizens United* decision.<sup>21</sup> It would, of course, also constitute a separate violation of the prohibition on contributions in the name of another.<sup>22</sup> If Mastroianni placed his own funds into the LLC's bank account and then used that account to make the contributions to the Murphy Super PAC in order to hide the fact that he was the true source of the funds, it would, given the amount involved, still constitute a very serious violation of the prohibition on contributions in the name of straw donors.<sup>23</sup>

Moreover, it is also illegal for a Super PAC to accept or receive a contribution from a foreign national, and knowingly to accept a contribution in the name of an entity other than the true source of the funds.<sup>24</sup> Floridians for A Strong Middle Class and Jennifer May, in her capacity as treasurer of the Murphy Super PAC, should have known the \$50,000 in contributions from 230 East 63<sup>rd</sup>-6 Trust, LLC were suspicious. In previous contributions to Friends of Patrick Murphy, Mastroianni had listed his employer as the Florida Regional Center, Allied Capital &

Development or the USI Fund – never 230 East 63<sup>rd</sup>-6 Trust, LLC. If he were making a contribution to the Murphy Super PAC from the corporate funds of one of his own companies, why wasn't one of those three entities listed as the contributor? Moreover, it was already well-known in Florida at the time these contributions were made that Mastroianni had been sued for making fraudulent use of funds obtained from foreign investors through the EB-5 program.<sup>25</sup> Any reasonable person running the Murphy Super PAC receiving two \$25,000 checks from

Mastroianni in the name of an unknown entity like 230 East 63<sup>rd</sup>-6 Trust, LLC would have inquired further to determine if the contributions were legal. Even if Floridians for a Strong Middle Class simply failed to investigate the true source of these funds, the Murphy Super PAC and its treasurer likely may have violated both the foreign national and the straw donor prohibitions.<sup>26</sup>

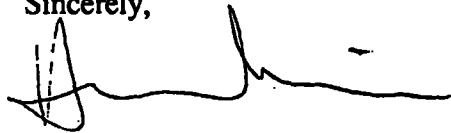
Murphy's Super PAC's acceptance of straw donations described above is not an isolated incident. An entity by the name of Pride United Limited Partnership contributed \$20,000 to Murphy's Super PAC in December of 2015,<sup>27</sup> but that entity was administratively dissolved in September 2015, before it contributed to Murphy's Super PAC.<sup>28</sup>

Even more disturbing is that there is substantial reason to believe that another straw donation was perpetrated by an entity reimbursed by Nicholas Mastroianni. In September of 2015, Chic Boutique Fashion, LLC, a clothing store located at Harbourside Place in Jupiter, Florida,<sup>30</sup> donated \$5,000 to Murphy's Super PAC.<sup>30</sup> The managers of Chic Boutique LLC are Lisa and Mark Giresi.<sup>31</sup> Mark Giresi, also Chic Boutique's registered agent, is general counsel of Nicholas Mastroianni's U.S. Immigration Fund and involved with Harbourside Place, a real estate project developed by Nick Mastroianni using EB-5 funds<sup>32</sup> and, as noted above, where Chic Boutique is physically located. Additionally, Florida corporate documents for Chic Boutique were submitted by Patricia "Pat" Harris of Allied Capital and Development of South Florida.<sup>31</sup> Unsurprisingly, Patricia Harris is a senior paralegal for Nicholas Mastroianni's U.S. Immigration Fund<sup>35</sup> and Nicholas Mastroianni is the President of Allied Capital.<sup>36</sup> Mark Giresi is not listed anywhere on Allied Capital's website as being part of Allied Capital's management team or otherwise employed by Allied Capital,<sup>37</sup> and Mr. Giresi's lack of any affiliation with Allied Capital – the very entity that submitted Chic Boutique's application to transact business in Florida – is further evidence that Chic Boutique is simply another vehicle Mastroianni used to give straw donations to Murphy's Super PAC. Indeed, despite having no affiliation with Allied Capital, Mark Giresi's registered agent address, 115 Front Street, Suite 300, Jupiter, Florida 33477, is the same address Patricia Harris listed for Allied Capital's address in Chic Boutique's application to transact business in Florida.<sup>38</sup>

Accordingly, I hereby request that the Federal Election Commission initiate an investigation of Congressman Patrick Murphy, Nicholas A. Mastroianni II, Floridians for a Strong Middle Class (the Super PAC supporting Patrick Murphy), Pride United Limited Partnership, Chic Boutique, LLC, Mark Giresi and Jennifer May, in her capacity as treasurer of the Murphy Super PAC, for multiple violations of 52 U.S.C. §§ 30121 and 30122 and 11 C.F.R. §§ 110.4(b) and 110.20, impose appropriate sanctions and take any further action that may be appropriate.

Specifically, should the Commission find that Mr. Mastroianni or others violated the prohibition on contributions in the name of another, I request that the Commission seek the maximum penalties under 52 U.S.C. 30109(d), including but not limited to a fine of 1000% of the illegal funds contributed. Should the FEC find that there have been willful violations of federal law, I further request that the FEC refer this matter to the United States Department of Justice.

Sincerely,



[Name of complainant]

"A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

Subscribed and sworn to before me this day, 05 - 23 -, 2016  
By: Howard Klein, who showed I.D.

  
Notary Public



## NOTES:

1. See Zachary Fagenson, *Miami voters approve \$400 million waterside observation tower*, <http://www.reuters.com/article/us-usa-miami-observation-tower-idUSKBN0GR2BP20140827> (project Coastal Construction is working on that is financed by EB-5 money, with developer Jeffery Berkowitz who has donated to Murphy's campaign); see also *Hollywood Beach Regional Center*, <http://www.eb5hollywoodfl.com/team.html>. (noting Coastal Construction is part of the Regional Center's team).
2. *Allied Capital And Development et al. v. Finklestein*, Case No. 2014CA006733AI, Filing # 22986799 (Fl. 15th Cir. Ct. Jan. 26, 2015), attached hereto as Exhibit 1.
3. See generally Elkind & Jones, *The Tangled Past of the Hottest Money-Raiser in America's Visa-for-Sale Program*, *Fortune* (October 14, 2014)(attached as Exhibit 2).
4. *Id.*
5. See *Florida Lawmakers Meet with Chinese Migration Agents to Talk Immigrant Investor Program EB-5 Reform*, *PRlog* (June 28, 2013), available at <https://www.prlog.org/12166034-florida-lawmakers-meet-with-chinese-migration-agents-to-talk-immigrant-investor-program-eb-5-reform.html>.
6. *Id.*
7. *Id.*
8. See *EB-5 Immigrant - Zhaolong Group Chairman Liu Dialogue US Congressmen*, *Sina Zhejiang Education* (September 10, 2014) (original version and Google translated version), available at <http://zj.sina.com.cn/edu/sxy/2014-09-10/164319186.html>.
9. *Id.*
10. Paul LaGrone, *Tale Of Two Immigrants: How Rich Foreigners Are Buying Their Way Into America*, *WPBF.com*, <http://www.wpbf.com/news/tale-of-two-immigrants-how-rich-foreigners-are-buying-their-way-into-america/31237960>.
11. See Exhibit 1, *supra*.
12. 230 East 63<sup>rd</sup>-6 Trust, LLC Articles of Organization (February 14, 2014)(attached as Exhibit 3).
13. *Id.*
14. Condominium Unit Deed, 230 E 63<sup>rd</sup> Associates, LLC to 230 East 63<sup>rd</sup>-6 Trust LLC for premises known as The 230 E. 63<sup>rd</sup> Street Condominium, Unit 6 (Penthouse), 230 East 63<sup>rd</sup> Street, New York, New York (attached as Exhibit 4). See also <http://www.230east63street.com/>.
15. 230 E. 63<sup>rd</sup> Street, New York, NY 10065 – Condominium Sales Prices (attached as Exhibit 5).
16. 230 East 63<sup>rd</sup>-6 Trust, LLC Articles of Dissolution (April 22, 2015)(attached as Exhibit 6).
17. Hudson, Stanescu & Adler-Bell, *How New York Real Estate Became a Dumping Ground for the World's Dirty Money*, *The Nation* (July 3, 2014)(attached as Exhibit 7).
18. Reuters, *In Real Estate, The Chinese Take Manhattan*, *Newsweek* (April 25, 2014)(attached as Exhibit 8).
19. Floridians for a Strong Middle Class, FEC Form 3X - January 31 Year-End Report at 6 (January 31, 2016) (attached as Exhibit 9). Mastroianni's son, Anthony Mastroianni, also made a \$5,000 contribution to Floridians for a Strong Middle Class on November 18, 2015. *Id.* at 10.
20. 52 U.S.C. § 30121 and 11 C.F.R. § 110.20.
21. 558 U.S. 310 (2010).
22. 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b).
23. 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b).
24. 52 U.S.C. §§ 30121(a)(2) and 30122 and 11 C.F.R. §§ 110.4(b) and 110.20(g).
25. See Exhibit 2.
26. 52 U.S.C. §§ 30121(a)(2) and 30122 and 11 C.F.R. §§ 110.4(b) and 110.20(g).
27. See Exhibit 9 at p. 13.
28. See attached publicly available corporate information sheet for Pride United Limited Partnership, attached hereto as Exhibit 10, and available at <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=PRIDEUNITED%20A960000022030&aggregateId=domlp-a96000002203-41894643-05da-46d9-aa45-52366080471e&searchTerm=PRIDE%20UNITED%20LIMITED%20PARTNERSHIP&listNameOrder=P.RIDEUNITED%20A960000022030>.

29. See generally Chic Boutique Fashion, <http://www.chicboutique.fashion/>; see also *Directory*, Harbourside Place <http://harboursideplace.com/shop/>.
30. See Exhibit 9, *supra*, at 8.
31. See attached publicly available corporate information sheet for Chic Boutique, LLC, attached hereto as Exhibit 11, and available at <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=CHICBOUTIQUEFASHION%20M150000094190&aggregateId=forl-in15000009419-059e09e3-cal-f-41c2-b057-a39723f3e77d&searchTerm=chicboutique%20fashion&listNameOrder=CHICBOUTIQUEFASHION%20M150000094190>.
32. See *Meet the Team*, U.S. Immigration Fund, <http://visaeb-5.com/meet-the-team/>.
33. See EB-5 Funded Harbourside Place's Jupiter Riverwalk Extension Completed, U.S. Immigration Fund, <http://visaeb-5.com/eb-5-funded-harbourside-places-jupiter-riverwalk-extension-completed/>.
34. See Chic boutique, LLC's Application by Foreign LLC to Transact Business in Florida, attached hereto as Exhibit 12.
35. See *Meet the Team*, U.S. Immigration Fund, <http://visaeb-5.com/meet-the-team/>.
36. See *Meet the Team*, Allied Capital & Development of South Florida, <http://alliedcapitalanddevelopment.com/overview/meet-the-team/>.
37. See *id.*
38. Compare Exhibit 11, with Exhibit 12.

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**EXHIBIT 1**

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IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT IN  
AND FOR PALM BEACH COUNTY,  
FLORIDA

CASE NO. 2014CA006733 AI

ALLIED CAPITAL AND DEVELOPMENT  
OF SOUTH FLORIDA, LLC a Florida Limited  
Liability Company, HARBOURSIDE PLACE,  
LLC, a Florida limited Liability Company,

Plaintiffs,

v.

DAVID FINKELSTEIN, an Individual,

Defendant.

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DAVID FINKELSTEIN, an Individual,

Counter-Plaintiff,

v.

ALLIED CAPITAL AND DEVELOPMENT  
OF SOUTH FLORIDA, LLC a Florida Limited  
Liability Company, HARBOURSIDE PLACE,  
LLC, a Florida Limited Liability Company, FLORIDA  
REGIONAL CENTER, LLC, a Florida Limited  
Liability Company, U.S. IMMIGRATION FUND, LLC,  
a Delaware Limited Liability Company,  
HARBOURSIDE FUNDING, LP, a Florida Limited  
Partnership, VIA MIZNER FUNDING, LP, a Florida  
Limited Partnership, CHARLES INVESTMENT  
FUND, LLC, a Delaware Limited Liability Company,  
CHARLES SPE FUNDING, LLC, a Delaware Limited  
Liability Company, U.S. IMMIGRATION  
FUND-NY, LLC, a New York Limited Liability  
Company, 65 BAY STREET FUNDING, LLC, a  
Delaware Limited Liability Company, BRYANT  
PARK FUNDING 100, LLC, a Delaware Limited  
Liability Company, WEST 57TH STREET FUNDING, LLC,  
a Delaware Limited Liability Company, and NICHOLAS

RICHMAN GREER, P.A.

Miami • West Palm Beach

A. MASTROIANNI, II, an Individual,

Counter- Defendants/Defendants.

**DAVID FINKELSTEIN'S ANSWER, AFFIRMATIVE DEFENSES  
AND COUNTERCLAIM**

Defendant/Counter-Plaintiff, DAVID FINKELSTEIN ("Finkelstein"), by and through his undersigned counsel, hereby serves his Answer, Affirmative Defenses and Counterclaim. Defendant denies each and every allegation not expressly admitted herein. Further, any admissions are only made to the extent specifically stated herein. As to each correspondingly numbered paragraph of the Complaint, Defendant states as follows:

**ANSWER**

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted that paragraph 4 recites the claim alleged, but Finkelstein denies all allegations and liability thereunder.
5. Admitted that this Court has jurisdiction over Defendant. The remaining allegations are denied.
6. Admitted that in 2010, Finkelstein negotiated with Plaintiff for an interest in Allied Capital and Harbourside. The remaining allegations are denied.
7. Denied.
8. Denied.
9. Admitted that Finkelstein was the Chief Financial Officer of Allied Capital and other entities. The remaining allegations are denied.

162270500	Steven and Dena McIntosh	3/18/2016	2:16-cv-00614	Gordon / Foley	P: BANA HOA: Palm Hills HOA Trustee: NAS 3PP: Vern Elmer	Will Habbas
163802734	Willy Ayuste	2/4/2015	2:15-cv-00196	Gordon / Foley	P: Naciónstar HOA: Club Aliante 3PP: 7505 Java Sparrow Trust	Christine Parvan
870330173	Zulfiya S. Karimova	3/4/2016	2:16-cv-00474	Gordon / Ferenbach	P: BANA HOA: Southern Highlands Trustee: Alessi & Koenig 3PP: Bernini Dr Trust	Allison Schmidt

**Erin Abugow**

Client Services Coordinator, Consumer Financial Services Practice Group  
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Managing Attorney: Charles Townsend | Direct Phone: 214-720-4301 | [charles.townsend@akerman.com](mailto:charles.townsend@akerman.com)

10. Admitted that in addition to his financial interest in the Plaintiff entities, Finkelstein received a reduced salary and health insurance benefits. The remaining allegations are denied.

11. Denied.

12. Admitted.

13. Denied.

14. Denied.

15. Admitted that Finkelstein resigned. The remaining allegations are denied.

16. Denied.

17. Denied.

18. Admitted that Finkelstein resigned. The remaining allegations are denied.

19. Admitted that Finkelstein demanded payment due to him. Admitted that Finkelstein resigned. The remaining allegations are denied.

20. Denied.

21. Admitted.

22. Finkelstein does not have information regarding the facts alleged in paragraph 22 and must therefore deny same.

Count I- Declaratory Judgment

23. Finkelstein adopts and incorporates each of the responses to paragraphs 1-22 as if fully set forth herein.

24. Admitted that paragraph 24 recites the claim alleged, but Finkelstein denies all allegations and liability thereunder.

25. Denied.

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26. Denied.

27. Denied.

28. Finkelstein does not have information regarding the facts alleged in paragraph 28 and must therefore deny same.

29. Denied.

### **AFFIRMATIVE DEFENSES**

#### **First Affirmative Defense: Failure to State a Cause of Action**

Plaintiff fails to state a cause of action. Specifically, Plaintiff has failed to plead the elements required to allege a declaratory judgment, including the bona fide, actual, present and practical need for the declaration, that some right of the Plaintiff is dependent upon the facts or law applicable to the facts, that there is some person or persons who have an actual, present, adverse and antagonistic interest in the subject matter, and that this is not merely the seeking of legal advice by the Court.

#### **Second Affirmative Defense- Advisory Opinion**

Plaintiff's Complaint seeks an advisory opinion, as Plaintiff has only alleged that they "will have difficulties in raising capital, or incurring liabilities." Since the Plaintiff has not been damaged, the possibility of legal injury is contingent, wholly speculative, and is clearly not yet ripe.

#### **Third Affirmative Defense: Promissory Estoppel**

Defendant was promised an ownership interest in the Plaintiff entities. Defendant relied upon the promise in agreeing to work with Plaintiffs for a reduced salary. Plaintiffs should have reasonably expected that the promise of an ownership interest in the entities induced Defendant to work for entities and accept a reduced salary as compensation. Enforcement of Plaintiffs'

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promise is necessary to avoid an injustice.

### COUNTERCLAIM

#### INTRODUCTORY STATEMENT

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In the spirit of "whoever throws the first punch usually wins," the Plaintiffs, at the direction of their principal Nick Mastroianni, filed a bogus and improper declaratory judgment action as a peremptory strike against Mr. Finkelstein. However, this case is, and always has been, about Mr. Finkelstein's claims against Plaintiffs, Mastroianni, and Mastroianni's other entities (collectively "Plaintiffs"), claims that are worth tens of millions of dollars representing Mr. Finkelstein's share of the Plaintiffs' lucrative profits earned on Mr. Finkelstein's back. These profits arose from development fees and projects, and the use of the EB-5 visa to raise investment capital for qualifying "commercial enterprises." EB-5 visas are visas extended to foreign nationals who invest at least \$1 million (or \$500,000 in rural areas or areas with high unemployment) into an authorized commercial enterprise which creates jobs for American workers.

Mr. Finkelstein devoted years and years and thousands and thousands of hours to Plaintiffs in developing and implementing the EB-5 system for the benefit of Plaintiffs, including becoming the Chief Financial Officer of Plaintiffs. In exchange for his labors, Mr. Finkelstein was granted an equity share in the Plaintiffs and other related entities—an equity share that Plaintiffs now seek to have this Court declare does not exist. Through this case, Mr. Finkelstein only seeks that which he was promised, that which he has earned, and that which Plaintiffs have taken from him.

#### JURISDICTIONAL ALLEGATIONS

1. This is an action for damages in excess of \$15,000.00 exclusive of interest, costs,

and attorneys' fees.

2. Defendant/Counter-Plaintiff DAVID FINKELSTEIN, ("Finkelstein") is a resident of Palm Beach County, Florida.

3. Plaintiff/Counter-Defendant ALLIED CAPITAL AND DEVELOPMENT OF SOUTH FLORIDA, LLC, ("Allied FL") is a Florida Limited Liability Company, whose principal place of business is located in Palm Beach County, Florida.

4. Plaintiff/Counter-Defendant HARBOURSIDE PLACE, LLC, ("Harbourside") is a Florida Limited Liability Company, whose principal place of business is located in Palm Beach County, Florida.

5. Defendant FLORIDA REGIONAL CENTER, LLC, ("FRC") is a Florida Limited Liability Company, whose principal place of business is located in Palm Beach County, Florida.

6. Defendant U.S. IMMIGRATION FUND, LLC, ("USIF") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

7. Defendant HARBOURSIDE FUNDING, LP, ("HarborFund") is a Florida Limited Partnership, whose principle place of business is located in Palm Beach County, Florida.

8. Defendant VIA MIZNER FUNDING, LP, ("Mizner") is a Florida Limited Partnership, whose principle place of business is located in Palm Beach County, Florida.

9. Defendant CHARLES INVESTMENT FUND, LLC, ("Charles") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

10. Defendant CHARLES SPE FUNDING, LLC, ("CharlesSPE") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

11. Defendant U.S. IMMIGRATION FUND-NY, LLC, ("USIFNY") is a New York

Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

12. Defendant 65 BAY STREET FUNDING, LLC, ("Bay Street") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

13. Defendant BRYANT PARK FUNDING 100, LLC, ("Bryant") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

14. Defendant WEST 57TH STREET FUNDING, LLC, ("W57TH") is a Delaware Limited Liability Company, whose principle place of business is located in Palm Beach County, Florida.

15. Defendant NICK MASTROIANNI, II ("Mastroianni") is a resident of Palm Beach County, Florida, and is otherwise subject to the jurisdiction of this Court.

16. Venue against Allied and Harbourside is proper in Palm Beach County, Florida as this is a counterclaim against these defendants and this action was originally brought by these defendants in Palm Beach County, Florida. Venue is proper against FRC in Palm Beach County under Fla. Stat. § 605.0703 because that is where the FRC principal office is located. Venue against Mastroianni is proper in Palm Beach County, Florida under Fla. Stat. 47.011 as that is where Mr. Mastroianni resides.

17. By virtue of Allied, Harbourside, and FRC being limited liability companies organized and existing under the laws of Florida, this Court has general personal jurisdiction over them pursuant to Fla. Stat. § 48.193(2) as they are engaged in substantial and not isolated

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activity within Florida.

18. Mastroianni is also subject to the general jurisdiction of this Court pursuant to Fla. Stat. § 48.193(2) as he is engaged in substantial and not isolated activity within Florida. Alternatively, Mastroianni is subject to the specific personal jurisdiction of this Court pursuant to Fla. Stat. §§ 48.193(1)(a) as he operates, conducts, engages in, or carries on a business or business venture in Florida and has an office or agency in Florida.

### **GENERAL ALLEGATIONS**

19. In late 2010, Mastroianni created FRC along with an attorney named Richard Yellen ("Yellen"). Yellen was Jack Schliffer's partner in the Harbourside project. The purpose of FRC was to utilize the EB-5 visa investment vehicle to raise funds to complete the Harbourside project.

20. In 2010, well into the recession, capital sources started drying up for real estate development. Accordingly, as a means to supplement investment capital for the Harbourside project, Mastroianni began looking into EB-5 investments.

21. The EB-5 program, also known as the Immigrant Investor Program, is administered by the U.S. Citizenship and Immigration Services ("USCIS"). Through the program, foreign nationals seeking entry into the United States can obtain an EB-5 visa if they make a minimum \$1 million investment (or \$500,000 in rural or low employment areas) into approved "Regional Centers" and certain conditions are satisfied. These conditions include a requirement of for-profit activity to be carried out in the Regional Center, as well as the creation of jobs for American workers.

22. Mastroianni applied for FRC to become an approved "Regional Center" qualifying for EB-5 funding, and was granted approval in September of 2010.

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23. As with any federal program, there are a lot of requirements that must be met to stay in compliance with the EB-5 program. For example, the money invested by the foreign nationals cannot be used for just any purpose, but its use is strictly regulated to accomplish the stated purpose of the EB-5 program (i.e. economic growth and job creation).

24. Accordingly, and to assist him with the implementation of the EB-5 program for use on the Harbourside project, Mastroianni reached out to Finkelstein due to his experience in financial and business matters.

25. In November of 2010, while Mastroianni and Finkelstein were in negotiations relating to Mr. Finkelstein's return to the Allied entities, FRC, and working again with Mastroianni in general, Mastroianni confirmed in writing to Mr. Finkelstein that he would get Mr. Finkelstein "5% of harbourside, and 10% of Allied" ("Allied FL") as equity ownership interests, in addition to other benefits such as salary and bonuses. According to Mastroianni: "Your interest in harbourside and other projects will spin off income for life, unless we were to sell an asset, in which case there would be a big payday," further promising that "were [sic] going from tee ball, to the world series in size, within the next 12 months!!"

26. Based on these promises, Finkelstein again began working with the Allied entities, FRC, the Harbourside project, and others. In fact, Mastroianni again confirmed to Mr. Finkelstein on March 25, 2011 that "we have a general agreement from the time we made the deal for you to come back to work, we have %'s that I agreed to in an email as it relates to harbourside and the RC [Florida Regional Center]."

27. Finally, in an email dated July 9, 2012, Mastroianni confirmed that Finkelstein is a 5% owner in Harbourside; a 5% owner in FRC, and a 10 % owner in Allied FL. By now, Finkelstein had been the CFO for all three entities, and the parties realizing that the EB-5 model

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was working very well for Harbourside, decided to expand its use to other projects.

28. Up until late 2011 or early 2012, the Harbourside project was the only project that utilized the EB-5 program. Ultimately, FRC was retained to, and did in fact, complete EB-5 funding of other projects, as to all of which Finkelstein has been promised a 10% interest.

29. The following entities were established for the purpose of executing the various projects: USIF, HarborFund, Mizner, Charles, CharlesSPE, USIFNY, Bay Street, Bryant and W57TH.

30. Finkelstein is entitled to his 10% share of the profits made on these projects by FRC as a result of his interest in FRC and all the related entities for the projects, including USIF, HarborFund, Mizner, Charles, CharlesSPE, USIFNY, Bay Street, Bryant and W57TH.

31. In or around January and February of 2013, Finkelstein, as CFO of FRC, Allied FL and another entity controlled by Mastroianni, raised concerns about the way Mastroianni and the companies he controlled were treating the EB-5 monies.

32. Finkelstein, after reviewing the books of the various entities determined that he could no longer maintain his position as CFO of any of the entities as Mastroianni, along with those in his employ, routinely conducted side deals, and funneled money in and out of various accounts without conferring with the CFO and, as Finkelstein believed, in non-compliance with the EB-5 requirements, something that would cause serious problems should there ever be a USICS or SEC audit.

33. Accordingly, Finkelstein sent a letter to everyone advising that he was resigning his position as CFO.

34. This letter was not well-received by Mastroianni, who retaliated against Finkelstein by trying to freeze him out of his ownership interest in Harbourside, Allied FL,

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FRC, USIF, HarborFund, Mizner, Charles, CharlesSPE, USIFNY, Bay Street, Bryant and  
W57TH.

35. Ultimately, Mastroianni's dissatisfaction resulted in the filing of the unfounded and inappropriate declaratory judgment action that commenced this action.

Count I  
**Judicial Dissolution of Florida Regional Center, LLC**  
**Pursuant to Fla. Stat. § 605.0702**

36. Finkelstein re-alleges paragraphs 1 through 35 above as though fully set forth herein.

37. Finkelstein holds a membership interest in FRC in the amount of 10%.

38. Finkelstein, as both a member and former Chief Financial Officer of FRC believes that sufficient grounds for judicial dissolution exists because:

- a. Mastroianni is causing FRC's conduct, or all or substantially all of FRC's activities and affairs to be unlawful. Specifically, Finkelstein believes that FRC, at the direction of its majority (and managing) member, Mastroianni, is failing to use the EB-5 investment funds in a manner that is authorized by the applicable rules and regulations. Because the EB-5 capital investment is the sole activity of FRC, and FRC has raised or is in the process of raising hundreds of millions of dollars under the EB-5 investment program, the unlawful conduct or activities and affairs of FRC as described above necessarily taints all of FRC's conduct.
- b. Mastroianni, who is in control of the company, has acted, is acting, and is reasonably expected to act in a manner that is illegal or fraudulent. Specifically, Finkelstein believes that FRC, at the direction of its majority (and managing) member, Mastroianni, is failing to use the EB-5 investment funds in a manner that

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*David Finkelstein avs. Allied Capital and Development of South Florida, LLC, et al.*

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is authorized by the applicable rules and regulations.

WHEREFORE, pursuant to Fla. Stat. § 605.0703(4)(b) and (c), Finkelstein respectfully requests the Court to dissolve FRC, or alternatively enter an order requiring FRC or its remaining members to purchase his 5% interest in FRC for fair market value pursuant Fla. Stat. § 605.0706, or for such other remedy the Court deems appropriate.

**Count II**

**Judicial Dissolution of Allied Capital and Development of South Florida, LLC  
Pursuant to Fla. Stat. § 605.0702**

39. Finkelstein re-alleges paragraphs 1 through 35 above as though fully set forth herein.

40. Finkelstein holds a membership interest in Allied FL in the amount of 10%.

41. Finkelstein, as both a member and former Chief Financial Officer of Allied FL believes that sufficient grounds for judicial dissolution exists because:

- a. Mastroianni is causing Allied FL's conduct, or all or substantially all of Allied FL's activities and affairs to be unlawful. Specifically, Finkelstein believes that Allied FL, at the direction of its majority (and managing) member, Mastroianni, is failing to use the EB-5 investment funds in a manner that is authorized by the applicable rules and regulations. Because the EB-5 funds are used for all development fees paid to Allied FL, and are the sole income for Allied FL, the improper and unauthorized use of the EB-5 funds taints all of Allied FL's conduct.
- b. Mastroianni, who is in control of the company, has acted, is acting, and is reasonably expected to act in a manner that is illegal or fraudulent. Specifically, Finkelstein believes that Allied FL, at the direction of its majority (and managing)

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member, Mastroianni, is failing to use the EB-5 investment funds in a manner that  
is authorized by the applicable rules and regulations.

WHEREFORE, pursuant to Fla. Stat. § 605.0703(4)(b) and (c), Finkelstein respectfully requests the Court to dissolve Allied FL, or alternatively enter an order requiring Allied FL or its remaining members to purchase his 10% interest in FRC for fair market value pursuant Fla. Stat. § 605.0706, or for such other remedy the Court deems appropriate.

**Count III**

**Judicial Dissolution of Harbourside Place, LLC**

**Pursuant to Fla. Stat. § 605.0702**

42. Finkelstein re-alleges paragraphs 1 through 35 above as though fully set forth herein.

43. Finkelstein holds a membership interest in Harbourside Place, LLC in the amount of 5%.

44. Finkelstein, as both a member and former Chief Financial Officer of Harbourside believes that sufficient grounds for judicial dissolution exists because:

- a. Mastroianni is causing Harbourside's conduct, or all or substantially all of Harbourside's activities and affairs to be unlawful. Specifically, Mr. Finkelstein believes that Harbourside, at the direction of its majority (and managing) member, Mastroianni, is failing to use the EB-5 investment funds in a manner that is authorized by the applicable rules and regulations. Because the EB-5 capital investment is the sole activity of Harbourside, and Harbourside has raised or is in the process of raising hundreds of millions of dollars under the EB-5 investment program, the unlawful conduct or activities and affairs of Harbourside as described above necessarily taints all of Harbourside's conduct.

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- b. Mastroianni, who is in control of the company, has acted, is acting, and is reasonably expected to act in a manner that is illegal or fraudulent. Specifically, Finkelstein believes that Harbourside, at the direction of its majority (and managing) member, Mastroianni, is failing to use the EB-5 investment funds in a manner that is authorized by the applicable rules and regulations.

WHEREFORE, pursuant to Fla. Stat. § 605.0703(4)(b) and (c), Finkelstein respectfully requests the Court to dissolve Harbourside, or alternatively enter an order requiring Harbourside or its remaining members to purchase his 5% interest in Harbourside for fair market value pursuant Fla. Stat. § 605.0706, or for such other remedy the Court deems appropriate.

**Count IV**  
**Breach of Contract**

45. Finkelstein re-alleges paragraphs 1 through 35 above as though fully set forth herein.

46. Mastroianni promised Finkelstein that if he accepted employment at a reduced salary, he would be further, and more fully, compensated by being given a 5% membership interest in Harbourside; a 5% membership interest in FRC, and a 10 % membership interest in Allied FL.

47. Finkelstein accepted employment as CFO of the entities based upon the promise of full compensation, including a membership interest in the three entities and any future business ventures.

48. The employment arrangement is a binding contract between the parties.

49. Counter-Defendants have breached the contract by failing to provide Finkelstein his compensation in accordance with the terms of the contract.

50. Finkelstein performed at all times in accordance with the terms of the contract and

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satisfied all conditions precedent.

51. Finkelstein has been damaged as a result of Counter-Defendants' breach of the contract.

WHEREFORE, Finkelstein demands judgment for damages against ALLIED CAPITAL AND DEVELOPMENT OF SOUTH FLORIDA, LLC, HARBOURSIDE PLACE, LLC and FLORIDA REGIONAL CENTER, LLC, along with the costs associated with bringing this action, interest, and any further relief this Court deems appropriate under the circumstances.

**Count V**  
**Fraudulent Inducement**

52. Finkelstein re-alleges paragraphs 1 through 24 and 28 through 35 above as though fully set forth herein.

53. Counter-Defendants made misrepresentations for the purpose of inducing Plaintiffs to enter into accepting employment at a reduced salary.

54. Specifically, Mastroianni, as an individual and as a principal of Harbourside, FRC and Allied FL, promised Finkelstein that if he accepted employment with Counter-Defendants at a reduced salary, he would also be given a membership interest in Harbourside, FRC, Allied FL, And 10% of all future EB-5 projects/entities, including USIF, HarborFund, Mizner, Charles, CharlesSPE, USIFNY, Bay Street, Bryant and W57TH.

55. Despite their promises, Counter-Defendants never provided Finkelstein any membership interest in Harbourside, FRC, Allied FL, USIF, HarborFund, Mizner, Charles, CharlesSPE, USIFNY, Bay Street, Bryant or W57TH.

56. Counter-Defendants knew or should have known that the misrepresentations were false at the time they were made and knew or should have known that Finkelstein would rely upon said misrepresentations in accepting the position.

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58. Finkelstein reasonably relied upon the misrepresentations to his detriment and has been damaged as a direct and proximate consequence of this reasonable reliance.

**Count VI**  
**Unjust Enrichment**

60. Finkelstein conferred a benefit on the Counter-Defendants by providing them his expertise and knowledge on the EB-5 program without being fully compensated as promised.

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WHEREFORE, Finkelstein demands judgment for damages against ALLIED CAPITAL AND DEVELOPMENT OF SOUTH FLORIDA, LLC, HARBOURSIDE PLACE, LLC, FLORIDA REGIONAL CENTER, LLC, U.S. IMMIGRATION FUND, LLC, HARBOURSIDE FUNDING, LP, VIA MIZNER FUNDING, LP, CHARLES INVESTMENT FUND, LLC, CHARLES SPE FUNDING, LLC, U.S. IMMIGRATION FUND-NY, LLC, 65 BAY STREET FUNDING, LLC, BRYANT PARK FUNDING 100, LLC, and WEST 57TH STREET FUNDING, LLC, along with the costs associated with bringing this action, interest, and any further relief this Court deems appropriate under the circumstances.

64. Finkelstein re-alleges paragraphs 1 through 24 and 28 through 35, and 53 through 58 above as though fully set forth herein.

**66. Finkelstein relied upon that promise in agreeing to work for Counter-Defendants**

67. Counter-Defendants should have reasonably expected that the promise of an ownership interest in the entities would induce Finkelstein to work for entities and accept a reduced salary as compensation.

WHEREFORE, Finkelstein demands judgment for damages against ALLIED CAPITAL AND DEVELOPMENT OF SOUTH FLORIDA, LLC, HARBOURSIDE PLACE, LLC,

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FLORIDA REGIONAL CENTER, LLC, U.S. IMMIGRATION FUND, LLC, HARBOURSIDE  
FUNDING, LP, VIA MIZNER FUNDING, LP, CHARLES INVESTMENT FUND, LLC,  
CHARLES SPE FUNDING, LLC, U.S. IMMIGRATION FUND-NY, LLC, 65 BAY STREET  
FUNDING, LLC, BRYANT PARK FUNDING 100, LLC, and WEST 57TH STREET  
FUNDING, LLC, along with the costs associated with bringing this action, interest, and any  
further relief this Court deems appropriate under the circumstances.

Respectfully submitted,

**RICHMAN GREER, P.A.**  
*Counsel for Finkelstein*  
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CERTIFICATE OF SERVICE

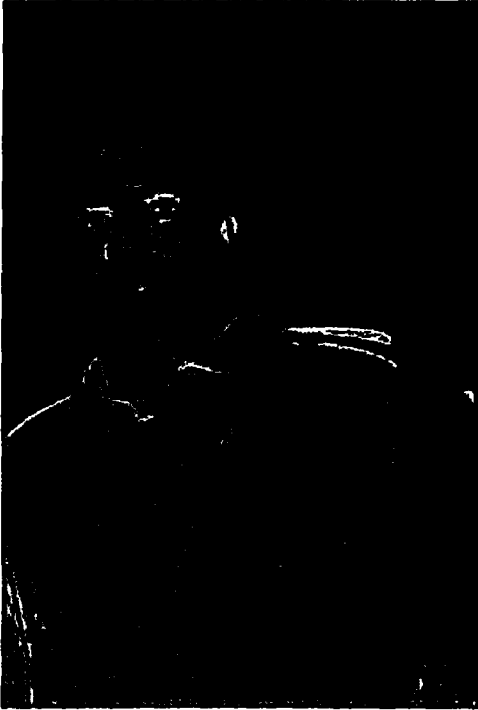
WE HEREBY CERTIFY that a true and correct copy of *Defendant's Answer, Affirmative Defenses and Counterclaim* has been served this 26<sup>th</sup> day of January 2015, to Mitchell Berger, Esquire, and Zachary P. Hyman of BERGER SINGERMANN, LLP., 350 East Las Olas Blvd., Suite 1000, Fort Lauderdale, FL 33301

  
LEORA B. FRIERE

**EXHIBIT 2**

October 14, 2014 – Fortune Magazine

## The tangled past of the hottest money-raiser in America's visa-for-sale program



Nicholas Mastroianni, II Photograph by John Sessa

Nicholas Mastroianni, II, has raised hundreds of millions of dollars—and generated a long litany of lawsuits, disputes, and unpaid debts.

In recent years, the EB-5 visa program, which essentially allows wealthy foreigners to buy U.S. citizenship by investing \$500,000 in a project that creates U.S. jobs, has exploded: The number of visas granted under the program has more than doubled since 2009. As that has happened, the program has taken on more and more glamorous, big-budget projects and the controversy surrounding it has increased. (Fortune examined the EB-5 program in depth in a recent cover story.)

It would be hard to find a figure who has risen faster in this burgeoning realm than Nicholas Mastroianni, II. In just four years, he has developed a lucrative role raising money for marquee projects such as Atlantic Yards, the giant Brooklyn development anchored by the Barclays Center, home of the NBA's Nets. Forest City Ratner, which is

developing Atlantic Yards, has also retained Mastroianni to raise EB-5 money for its renovation of the Nassau Coliseum, home of the NHL's Islanders. Other Mastroianni clients include the developers of three large Manhattan projects: the Charles, a 31-story condominium tower on the Upper East Side where the penthouse reportedly sold for \$38 million; Bryant Park, a 32-story midtown Manhattan building with a luxury hotel and condos developed by HFZ Capital Group; and 855 Avenue of the Americas, a 41-story mixed-use edifice being developed by the Durst Organization.

All told, Mastroianni's website boasts of involvement with \$5.5 billion in development projects over the years, funded with \$1.4 billion in EB-5 money, resulting in "40,000 jobs created." Those are massive sums given that the entire EB-5 system raised a total of about \$1.8 billion last year. Forest City Ratner CEO MaryAnne Gilmartin calls Mastroianni the "go-to" leader in the field of EB-5 funding.

To call Mastroianni's rise improbable would be an understatement. A squarely built 50-year-old with a Long Island accent, Mastroianni has a long history of legal problems, failed ventures, and unpaid debts—which have continued even as his professional fortunes have turned sharply upward—leaving a legacy of conflicts, judgments, and entanglements.

First, a brief detour: The EB-5 immigration program was created in 1990. Congress allowed the government to sell visas on the grounds that it would direct jobs into needy areas. However, lax federal oversight and aggressive gerrymandering of the special districts required of most EB-5 ventures have allowed developers to use overseas money in ever-wealthier areas, on ever-glitzier projects. The cash is channeled through entities called regional centers—usually private, for-profit businesses—that have been approved by the U.S. Citizenship and Immigration Services, part of the Department of Homeland Security. Regional centers receive administrative fees from the investors and a percentage of what they raise from the developers; on large projects, that can quickly add up to millions.

Big developers have come to love EB-5—once the exclusive province of small ventures that couldn't get funded anywhere else—because it's cheap capital, often half the cost of conventional financing. This is because the main lure for most of the immigrant investors (more than 80% of them Chinese) is getting a green card, which is why many are willing to accept little or no return on their \$500,000. That allows developers to borrow money at a cost of just 4-6% a year, even when middleman costs are added in.

This is the world in which Mastroianni has thrived, and he certainly has fans. At his request, 17 of his clients, attorneys, and consultants prepared testimonials he submitted to Fortune, vouching for his competence, integrity, charity—even his punctuality.

But Mastroianni's life and business career have also left a long legal trail. He grew up in Huntington, Long Island, where his father ran the Dover House, a popular restaurant owned by songwriter Burt Bacharach. After two years at Farmingdale State University of New York ending in 1983, Mastroianni moved to Rhode Island, where he went into the construction business at age 19.

Trouble started early. Between 1985 and 1993, court records show, Rhode Island police arrested Mastroianni four times for felony possession of a controlled substance. He pleaded no contest four times, and received a suspended sentence and probation each time. ("It happened," Mastroianni says through a spokesperson. "It's the past, life goes on and people move on.")

Despite the setbacks, Mastroianni began opening businesses at a young age. Recognizing opportunity in a government program that paid for soundproofing homes and businesses near airports, in 1989 he founded a company called Interstate Design & Construction. By underbidding competitors, Mastroianni won dozens of government noise-abatement contracts from Louisiana to Wisconsin to Massachusetts.

But homeowners and subcontractors complained that Interstate did poor work and didn't complete its jobs, according to newspaper reports dating back to 1996. In May 2000, records show, Mastroianni's business went into receivership. Banks foreclosed on his office properties and two homes. In 2002, a surety bond company sued Mastroianni to recover costs for completing 28 of his soundproofing jobs and won a \$1.1 million default judgment. (Mastroianni didn't pay until December 2013.)

That wasn't the end of the troubles. In July 2003, the U.S. Department of Labor sued Mastroianni, accusing him of diverting \$401,361 in required employer pension-fund contributions, which were to be made "no less than quarterly." The suit claimed Mastroianni illegally used the money for "various personal expenses" and to provide seed money for another business that he owned. After the government won a default judgment, the case was finally closed in April 2006 with a negotiated partial restitution; Mastroianni paid \$75,000.

Mastroianni had personal financial woes, too. In September 2003, he filed for bankruptcy. In that proceeding, a court-appointed trustee accused him of "knowingly and fraudulently" lying about his assets, including hundreds of thousands in cash and retirement accounts. Ultimately, Mastroianni agreed, "without making any admissions," that he would not be relieved of his debts in the bankruptcy.

Mastroianni declined to be interviewed for this article but responded in writing through an outside PR consultant to some of the many questions sent to him by Fortune. He



blames the receiver who took control of his failing business for not making the required quarterly pension payments. (However, according to government filings, the pension diversion actually began in early 1999, more than a year before a receiver had even been appointed. Rhode Island attorney Allan Shine, who served as the receiver, calls Mastroianni's claim "ludicrous.")

In his written comments, Mastroianni insisted that his company successfully completed "numerous projects" but ultimately "outgrew itself." This period in his career, he added, provided "some valuable lessons on how to build a business."

Even as legal disputes dragged on in Rhode Island courtrooms, Mastroianni relocated to Palm Beach County, Fla., where he began operating a new company, Allied Capital & Development. Allied specializes in projects "with the highest standards of quality and construction," according to its promotional materials. Allied's website says Mastroianni has been "recognized for his commitment to excellence in construction," and notes that he has "hosted numerous charitable events with both prominent sports figures and political constituents."

Yet in Florida, virtually every one of the dozen or so projects Allied launched over the past decade has faced delays, lawsuits or construction problems. Allied has completed few of them.

In July 2004, a building collapse at Allied's townhouse development in Hobe Sound, named "Tranquility," killed two workers and seriously injured several others. Allied, the developer and construction manager, faced no criminal charges or regulatory penalties, but it settled multiple lawsuits. Afterwards, Mastroianni defended the concrete contractor he'd hired to a local reporter, saying Allied had "checked them out" and had "no reason to believe they caused any problems here." Local press later reported that the contractor had a history of serious safety violations and lacked workers' compensation insurance. After investigating the matter, Florida regulators barred the concrete company from doing business in the state and fined it \$2.4 million.

Today Mastroianni describes it as "a tragic accident on the part of the General Contractor" and insisted "my partners and I were not constructing the project and had no involvement in the day-to-day operations." (OSHA's final report of its investigation, dated Dec. 1, 2004, recounted the role of Mastroianni's firm in key construction decisions.)

Meanwhile, a lender foreclosed on a nearby Allied townhouse development called Heron Cove after a Mastroianni-led business defaulted on a \$12.3-million loan. And four other Mastroianni projects, in Cocoa and Palm Beach County, have not been built. Court

records show the developments have faced lawsuits and foreclosure actions. Mastroianni recently settled with one lender who demanded an additional \$6.3 million from him and a former partner, who signed personal guarantees.

In numerous instances, Mastroianni has failed even to respond when a lawsuit is filed. For example, in 2007, owners at Marbella Villas, 54 townhouses that Allied developed in North Palm Beach, sued a Mastroianni company, citing its refusal to fix "construction deficiencies and defects," which homeowners and their lawyers say included a broken water main that allegedly created a sinkhole, unfinished landscaping, a malfunctioning front gate, and structural defects. Mastroianni didn't contest the charges, and the homeowners won a \$1.25 million default judgment. But they have yet to collect a penny. According to the lawyer for the homeowners, by the time the judgment had issued, Mastroianni abandoned the two corporate entities ordered to pay the judgment, allowing their registrations to lapse.

Mastroianni's refusal to even respond to the complaint is rare for someone who wants to remain in business, says David St. John, whose law firm represented the townhouse owners association. "We've done more than a hundred of these cases over the years," says St. John. "This is one of only two I can remember where the developer just walked. Most of them come to the table and negotiate because they don't want to ruin their reputation."

In his responses to Fortune, Mastroianni wrote that the Marbella Villas lawsuit was "a frivolous claim that was filed by an attorney ten years ago in the hopes of leveraging a settlement. All the post-construction complaints, which were normal and customary when building multi-family housing, have been addressed."

\* \* \*

Mastroianni's professional fortunes appeared to improve beginning in 2010, when he started using the EB-5 program. He first turned to it to fund his most ambitious development venture: Harbourside Place, a \$144-million mixed-use project located on a ten-acre site along the Intracoastal Waterway in the wealthy town of Jupiter, north of Palm Beach.

The project dated back to 2006 and it was going nowhere. Then Mastroianni conceived a plan to finance about \$100 million of it with money from wealthy Chinese immigrants. He didn't just come up with the capital for his own project; he launched a new career as the owner-operator of what became three regional centers, the fund-raising intermediaries that are integral to the EB-5 process.

Mastroianni opened his first EB-5 business, the Florida Regional Center, in 2010 to raise overseas money for Harbourside Place. That project is expected to open in December, two years behind the original schedule. (The city of Jupiter fined Mastroianni's firm \$200,000 this year for missing a completion deadline.) The development includes a 179-room Wyndham Grand hotel, shops, restaurants, office space, an outdoor amphitheater, and a public marina. Golf superstar Tiger Woods, who lives in Jupiter, recently announced plans to open a sports bar in the complex in 2015.

**Mastroianni has become a political booster of the EB-5 system. Since 2010, he has donated more than \$130,000 to congressional candidates around the country and Democratic party groups. Last year, he retained Washington lobbyists to promote expansion of the EB-5 program. In May, he hired Charles Gargano, a longtime GOP fundraiser whose state and federal appointments have included an ambassadorship to Trinidad and Tobago and a post as New York state's top economic-development official—exactly the sort of government résumé that appeals to Chinese EB-5 investors. He has also brought in at least one big name for marketing: Mastroianni says he arranged for golf legend Jack Nicklaus to appear at a seminar in China to recruit EB-5 investors for a Florida development where Nicklaus designed the golf course. (Nicklaus' office didn't respond to a Fortune inquiry about the appearance.)**

Even as Mastroianni has apparently become increasingly prosperous, he continues to be involved in contentious legal battles. Indeed, three of these cases have been filed by attorneys or consultants who used to work for him.

Florida law firm Serber & Associates sued one Mastroianni corporate entity for \$80,000 in unpaid fees involving the Jupiter project and won a default judgment in late 2012—only to discover that the entity's sole asset had been transferred a few months earlier. The firm has now filed a new action to collect the money, claiming a "fraudulent transfer." Mastroianni declined to comment beyond stating that "we believe our legal position is strong."

In 2011, Hackley & Robertson, a Palm Beach firm, sued Mastroianni's Florida Regional Center for unpaid legal fees, eventually winning a \$168,454 judgment. In August 2013, Hackley & Robertson filed a "satisfaction of judgment," acknowledging that a settlement between the parties had been fulfilled. No specifics were given.

Earlier this year, George Ekins, a Los Angeles regional center operator who became Mastroianni's EB-5 marketing consultant in September 2011, sued three Mastroianni entities, accusing them of paying only a small fraction of the fees they owed, then failing to make good on a 2013 settlement agreement Mastroianni had signed to pay Ekins \$900,000. That lawsuit is still pending. (Ekins did not respond to requests for comment.)

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Then there was a fourth contretemps with a colleague. Last May, Mastroianni had a brief—but nasty—falling-out with business partner Richard Yellen, a New York real estate lawyer who has worked with him since 2007, both on the Jupiter project and in the EB-5 business. In court papers filed in New York against Mastroianni, the U.S. Immigration Fund (the parent company for Mastroianni's regional centers), and four other corporate entities, Yellen sought a declaratory judgment confirming his ownership stake and role as co-managing member, and removal of "certain managing members" for "fraudulent and negligent misrepresentations." If Mastroianni failed to respond to the complaint, Yellen sought an award of up to \$20 million for "conversion, self-dealing, unjust enrichment and breach of contract." Four months later, he withdrew the claim.

"Yeah, that's a public record," says Yellen. "Partners who are in business sometimes have disputes." Yellen remains in business with Mastroianni and calls him "a very talented guy" who "may not be everybody's cup of tea." (Mastroianni's spokesperson relayed a statement that Yellen and Mastroianni "are engaged in discussions to settle their differences.") Adds Yellen: "Nick comes from a construction background...You know, there's no question Nick is a tough guy."

Asked about his pattern of conflict with business associates, Mastroianni responded that upon entering the EB-5 business, "we encountered some individuals who made representations about what they could do to support our effort that turned out not to be the case. We then moved on to identify those experts capable of supporting the EB-5 business."

After initially failing to respond to Fortune's requests for information, Mastroianni retained crisis-communications consultant Chris Lehane, an aggressive former Clinton White House strategist who provided two sets of written comments. These were accompanied by 17 testimonial letters that Mastroianni solicited from banks, lawyers, consultants, and clients in his EB-5 business.

Often employing similar language, all offered lavish praise. "In all aspects of our relationships, I have found Nick to be honest, forthright, and punctual," wrote EB-5 economist Michael Evans. "You will not find a finer person to work with than Nick Mastroianni."

"I am glad to call Nick a friend," wrote Andrew Joblon, senior vice president of acquisitions at Fisher Brothers, a prominent New York developer, who noted that Mastroianni had raised \$225 million in EB-5 money for two of his company's Manhattan projects. "He has a great sense of humor, genuine care for others, and love for life." Forest City Ratner CEO Gilmartin stated that she has "witnessed first-hand his competence and collaborative talents."

Mastroianni's package of testimonials included letters from two different executive vice presidents at Signature Bank, which Mastroianni's company uses to escrow investors' EB-5 funds. With the exception of a single modifier, both concluded with the exact same sentence: "Nick is a tireless worker, a man of his word, and someone who we look to for guidance in this constantly evolving EB-5 marketplace."

The collection also included an enthusiastic missive from Michael Villella, finance director for the town of Jupiter, who dealt extensively with Mastroianni on the Harbourside Project. Before writing that letter, however, he offered a more nuanced portrait in an interview with Fortune. Jupiter's experience with Mastroianni has been "reasonably positive," Villella says. He credits Mastroianni with completing a complex and difficult-to-finance endeavor. Adds Villella: "Do I think he's the most forthright guy in the world? No. But did he do a good job here? Yes."

1704443005  
Villella calls Mastroianni "a challenging individual," who "can be really difficult to work with." As Villella puts it, "If he didn't like the work product he got, he'd say, 'Hell, I'm not paying you. I know we had a contract, but I think your work stinks! I'm not paying you—I don't care! Get out of here!' That's Nick."

"I go to church every Sunday thankful that [Harbourside] turned out the way it did," says Villella. "If you look at his past, you could be any one of those people on that list who were in litigation with him. I'm just glad we're not."

4-NOV-2000 10:00:00

**EXHIBIT 3**

**Electronic Articles of Organization  
For  
Florida Limited Liability Company**

L14000026018  
FILED 8:00 AM  
February 14, 2014  
Sec. Of State  
thampton

**Article I**

The name of the Limited Liability Company is:

230 EAST 63RD-6 TRUST, LLC

**Article II**

The street address of the principal office of the Limited Liability Company is:

1295 US HIGHWAY 1  
N PALM BEACH, FL. 33408

The mailing address of the Limited Liability Company is:

1295 US HIGHWAY 1  
N PALM BEACH, FL. 33408

**Article III**

The name and Florida street address of the registered agent is:

DONALD M ALLISON  
33 SOUTHEAST FIFTH STREET  
SUITE 100  
BOCA RATON, FL. 33432

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DONALD M ALLISON

17044206607

#### **Article IV**

The name and address of person(s) authorized to manage LLC:

Title: MGR  
NICHOLAS A MASTROIANNI II  
1295 US HIGHWAY 1  
N PALM BEACH, FL. 33408

L14000026018  
FILED 8:00 AM  
February 14, 2014  
Sec. Of State  
thampton

#### **Article V**

The effective date for this Limited Liability Company shall be:

02/14/2014

Signature of member or an authorized representative

Electronic Signature: NICHOLAS A. MASTROIANNI II

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

17044426000

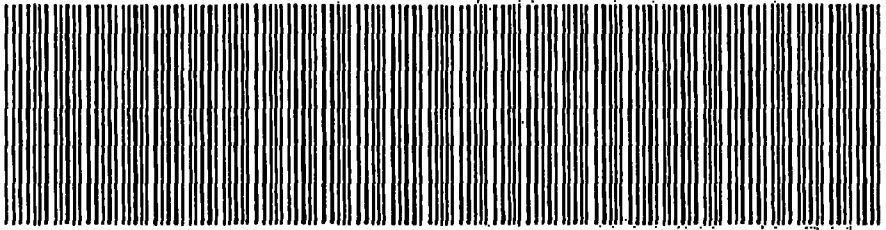


1704443009

## EXHIBIT 4

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2014110700450001001E4C20

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 6**

Document ID: 2014110700450001

Document Date: 10-30-2014

Preparation Date: 11-12-2014

Document Type: DEED

Document Page Count: 5

**PRESENTER:**

CHICAGO TITLE INSURANCE CO. (PICK-UP)  
711 THIRD AVE, 5TH FLOOR  
3114-00104  
NEW YORK, NY 10017  
212-880-1200  
CTINYRECORDING@CTT.COM

**RETURN TO:**

CHICAGO TITLE INSURANCE CO. (PICK-UP)  
GOLENBOCK EISEMAN ASSOR BELL - JONATHAN HACKER  
437 MADISON AVENUE  
NEW YORK, NY 10022

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
MANHATTAN	1417	1006	Entire Lot 6	230 EAST 63RD ST

Property Type: SINGLE RESIDENTIAL CONDO UNIT

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

230 E 63RD ASSOCIATES LLC  
12 WATER STREET SUITE 204  
WHITE PLAINS, NY 10601

**GRANTEE/BUYER:**

230 EAST 63RD - 6 TRUST LLC  
1295 US HIGHWAY 1  
NORTH PALM BEACH, FL 33408

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

**Exemption:**

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 62.00

Affidavit Fee: \$ 0.00

**Filing Fee:**

\$ 125.00

**NYC Real Property Transfer Tax:**

\$ 53,437.50

**NYS Real Estate Transfer Tax:**

\$15,000.00 + \$37,500.00 = \$ 52,500.00



**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 11-22-2014 12:31

City Register File No.(CRFN):

2014000388804

*Gianette McMill*

City Register Official Signature

170244266-0

3114-00104  
New York

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**CONDOMINIUM UNIT DEED**

Dated: As of October 30, 2014

**230 E 63<sup>RD</sup> ASSOCIATES, LLC,**

to

**230 EAST 63RD - 6 TRUST LLC**

Premises known as:

The 230 E. 63<sup>rd</sup> Street Condominium  
Unit 6 (Penthouse)  
230 East 63<sup>rd</sup> Street  
New York, New York

Block: 1417  
Lot: **22 1006**  
County: New York

---

Record and return to:

Jonathan Hacker, Esq.  
Golenbock Eiseman Assor Bell & Peskoe  
437 Madison Avenue  
New York, NY 10022

**CONDOMINIUM UNIT DEED**

INDENTURE made as of this 30<sup>th</sup> day of OCTOBER, 2014, between 230 E 63<sup>RD</sup> ASSOCIATES, LLC, a Delaware limited liability company, having a place of business at c/o Michael Paul Enterprises LLC, 12 Water Street, Suite 204, White Plains, NY 10601 ("Grantor") and 230 EAST 63RD - 6 TRUST LLC, 230 E. 63rd Street, New York, NY 10065 ("Grantee").

**Witnesseth:**

In consideration of Ten (\$10.00) Dollars, and other good and valuable consideration paid by Grantee, Grantor hereby grants and releases to the Grantee the condominium unit described in Schedule A to this Deed.

TOGETHER with the benefits, rights, privileges, easements and subject to the burdens, covenants, restrictions provided for in the By-Laws and Rules and Regulations and easements all as set forth in the documents of the Condominium filed and recorded as aforesaid, all of which shall constitute covenants running with the land and shall bind any person having at any time any interest or estate in the Unit, as though recited and stipulated at length herein.

SUBJECT TO all of the terms and conditions contained in the Declaration and By-Laws, as the same may be from time to time amended.

TO HAVE AND TO HOLD the premises therein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that it will receive the consideration for the conveyance and will hold the same as a trust fund to be applied first and for the purpose of paying the cost of the improvements before using any part of the same for any other purpose.

The use for which the Unit is intended is as a residential dwelling, subject to applicable governmental regulations and such other restrictions as are set forth in the Declaration and By-Laws. The Grantee accepts and ratifies the provisions of the Declaration, By-Laws and Rules and Regulations recorded simultaneously with and as part of the Declaration, and agrees to comply with all the terms and provisions thereof as the same may be amended from time to time by instruments recorded in the Office of the New York County Clerk.

The Grantor covenants that the Grantor has not done or suffered anything to be done whereby the Unit has been encumbered in any way whatsoever, except as set forth in the Declaration, By-Laws and Rules and Regulations, adopted pursuant to the By-Laws. This conveyance is made in the regular course of business actually conducted by the Grantor herein.

The terms "Grantor" and "Grantee" shall be read as "Grantors" and "Grantees" whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the Grantor and Grantee have duly executed this deed as of the day and year first above written.

230 E 63<sup>RD</sup> ASSOCIATES, LLC

By:

Michael D'Alessio, Manager

230 EAST 63RD - 6 TRUST LLC

Nicholas A. Mastroianni II

Authorized Signatory

ACKNOWLEDGMENTS

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

On the 30<sup>th</sup> day of OCTOBER, 2014, before me, the undersigned, personally appeared Nicholas A. Mastroianni II, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

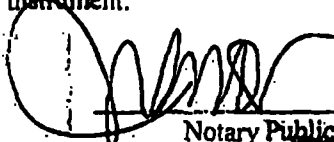
  
\_\_\_\_\_  
Notary Public

MIRYAM S. FULD  
Notary Public, State of New York  
No. 01FU6087250  
Qualified In: Bronx County  
Commission Expires February 10, 2015

**SEAL**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF WESTCHESTER )

On the 22 day of OCTOBER, 2014, before me, the undersigned, personally appeared Michael D'Alessio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

  
\_\_\_\_\_  
Notary Public

JESSICA RAMOS  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01RA6107489  
QUALIFIED IN BRONX COUNTY  
MY COMMISSION EXPIRES APRIL 5, 2016

**SEAL**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

On the \_\_\_\_ day of OCTOBER, 2014, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument in Greenwich, Connecticut.

\_\_\_\_\_  
Notary Public

**SCHEDULE A**

**Legal Description of Unit**

That certain condominium unit in the condominium known as The 230 E. 63<sup>rd</sup> Street Condominium, designated and described as Unit No. 6 (Penthouse) in that certain Declaration of Condominium, dated as of August 15, 2014, made by 230 E 63<sup>rd</sup> Associates, LLC pursuant to the Condominium Act of the State of New York (Article 9-B of the New York Real Property Law) and recorded on September 30, 2014, in the Office of the City Register of the City of New York, County of New York (the "Register's Office"), in CRFN 2014000OCTOBER3182, and also designated as Tax Lot 32 in Block 1417 of the Tax Map of the City of New York and on the floor plans of said building, certified by Vail Associates and filed on September 30, 2014, with the Clerk's Office as CRFN 20140003142;

**TOGETHER** with an undivided 21.23%% interest in the Common Elements (as such term is defined in the Declaration).

The land subject to the said Declaration of Condominium is described as follows:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, being bounded and described as follows:

**BEGINNING** at a point on the southerly side of East 63<sup>rd</sup> Street, distant 180 feet westerly from the corner formed by the intersection of the westerly side of Second Avenue with the southerly side of East 63<sup>rd</sup> Street;

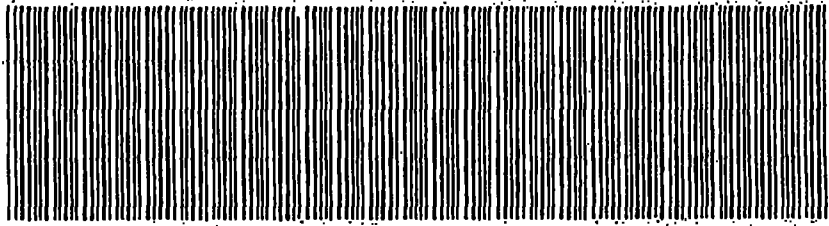
**THENCE** southerly parallel with Second Avenue, 100 feet 5 inches to the center line of the block;

**THENCE** westerly parallel with East 63<sup>rd</sup> Street, 25 feet;

**THENCE** northerly parallel with Second Avenue, 100 feet 5 inches to the southerly side of East 63<sup>rd</sup> Street;

**THENCE** easterly along the southerly side of East 63<sup>rd</sup> Street, 25 feet to the point or place of **BEGINNING**.

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2014110700450001001S82A1

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

Document ID: 2014110700450001

Document Date: 10-30-2014

Preparation Date: 11-12-2014

Document Type: DEED

**ASSOCIATED TAX FORM ID:** 2014102000343

**SUPPORTING DOCUMENTS SUBMITTED:**

**Page Count**

RP - 5217 REAL PROPERTY TRANSFER REPORT  
SMOKE DETECTOR AFFIDAVIT

3

1

17044430616



# CITY REGISTER

**FOR: CITY USE ONLY**

C1. County Code        C2. Date Deed Recorded NOV 13 2014  
Month Day Year

C3. Book                      C4. Page                     

**C5.CRFN** |

**REAL PROPERTY TRANSFER REPORT**

**STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES**

**RP - 5217NYC**

## PROPERTY INFORMATION

1. Property Location	230	EAST 63RD ST 6	MANHATTAN	10065
	STREET NUMBER	STREET NAME	BOROUGH	ZIP CODE

2. Buyer 230 EAST 63RD - 6 TRUST LLC  
Name LAST NAME / COMPANY: FIRST NAME

LAST NAME / COMPANY	FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

**4A. Planning Board Approval - N/A for NYC**

4B. Agricultural District Notice - N/A for NYC

**Check the boxes below as they apply:**

### 6. Ownership Type Is Condominium

## 7. New Construction on Vacant Land

230 E 63RD ASSOCIATES LLC

LAST NAME / COMPANY	FIRST NAME
---------------------	------------

9. Check the box below which most accurately describes the use of the property at the time of sale:

A	<input checked="" type="checkbox"/>	One Family Residential	C	<input type="checkbox"/>	Residential Vacant Land	E	<input type="checkbox"/>	Commercial	G	<input type="checkbox"/>	Entertainment / Amusement	I	<input type="checkbox"/>	Industrial
B	<input type="checkbox"/>	2 or 3 Family Residential	D	<input type="checkbox"/>	Non-Residential Vacant Land	F	<input type="checkbox"/>	Apartment	H	<input type="checkbox"/>	Community Service	J	<input type="checkbox"/>	Public Service

**SALE INFORMATION**

10. Sale Contract Date 2 / 19 / 2014  
Month Day Year

11. Date of Sale / Transfer 10 / 30 / 2014  
Month / Day / Year

12. Full Sale Price \$ 375.000.00

( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

**14. Check one or more of these conditions as applicable to transfer:**

A	<input type="checkbox"/>	Sale Between Relatives or Former Relatives
B	<input type="checkbox"/>	Sale Between Related Companies or Partners in Business
C	<input type="checkbox"/>	One of the Buyers is also a Seller
D	<input type="checkbox"/>	Buyer or Seller is Government Agency or Lending Institution
E	<input type="checkbox"/>	Deed Type not Warranty or Bargain and Sale (Specify Below)
F	<input type="checkbox"/>	Sale of Fractional or Less than Fee Interest (Specify Below)
G	<input type="checkbox"/>	Significant Change in Property Between Taxable Status and Sale Dates
H	<input type="checkbox"/>	Sale of Business Is Included In Sale Price
I	<input type="checkbox"/>	Other Unusual Factors Affecting Sale Price (Specify Below)
J	<input checked="" type="checkbox"/>	None

**ASSESSMENT INFORMATION** - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Building Class R 1 18. Total Assessed Value (of all parcels in transfer) 0

17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )

MANHATTAN 1417 1006

201410200034320106

**CERTIFICATION PAGE  
(RP-5217NYC)**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

**BUYER:**

**230 EAST 63RD-6 TRUST, LLC,**  
a Delaware limited liability company

By: 

Name: Nicholas A. Mastroianni, II  
Title: Authorized Signatory

Date: October 30, 2014

Address (After Sale): 1295 U.S. Highway 1  
North Palm Beach, Florida 33408

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER'S ATTORNEY

BUYER SIGNATURE  
1295 US HIGHWAY 1

DATE

OSUNSAN

ERIC

LAST NAME

FIRST NAME

212

551-8438

AREA CODE

TELEPHONE NUMBER

STREET NUMBER

STREET NAME (AFTER SALE)

SELLER

NORTH PALM BEACH

FL

33408

CITY OR TOWN

STATE

ZIP CODE

SELLER'S SIGNATURE

DATE

10-30-14

230 E. 63RD ASSOCIATES, LLC  
BY: MICHAEL D'ALESSIO  
MANAGER

17044430619

2014102000343201

County of New York SS.:

6

Uni/Apl.

**(the "Premises");**

**Lot**

Name of Grantee (Type or Print)

**Signature of Grantee**

230 EAST 63RD - 6 TRUST, LLC

AUTHORIZED  
SYNATORY

MIRYAM S. FULD  
Notary Public, State of New York  
No. 01FU6087250  
Qualified In Bronx County  
Commission Expires February 10, 2011

2014102000343101

12060344021

## EXHIBIT 5

230 E 63rd Street, New York, NY 10065

CONDOMINIUM SALE PRICES

Unit	Description	Sq Ft	PPSF	Sales Price\$
1st Fl Duplex	1 Bedroom, Plus Study, 1 Bath	2343	1,700	3,983,100
2nd Fl Thru Floor	2 Bedroom, Plus Study, 2.5 Bath	1743	1,800	3,137,400
3rd Fl Thru Floor	2 Bedroom, Plus Study, 2.5 Bath	1743	1,900	3,311,700
4th Fl Thru Floor	2 Bedroom, Plus Study, 2.5 Bath	1743	2,000	3,486,000
5th Fl Thru Floor	2 Bedroom, Plus Study, 2.5 Bath	1743	2,100	3,660,300
6th Fl Thru Floor Penthousew/Roof	2 Bedroom, Plus Study, 3.5 Bath	1743	2,300	4,008,900

17044430000

**EXHIBIT 6**

## **ARTICLES OF DISSOLUTION**

Pursuant to section 605.0707, Florida Statutes, this Florida limited liability company submits the following Articles of Dissolution:

The name of the limited liability company as currently filed with the Florida Department of State:

**230 EAST 63RD-6 TRUST, LLC**

The document number of the limited liability company: **L14000026018**

The file date of the articles of organization: **February 14, 2014**

A description of occurrence that resulted in the limited liability company's dissolution:

**COMPANY WAS SET UP IN FLORIDA BY MISTAKE.**

The name and address of the person appointed to wind up the company's activities and affairs:

**NICHOLAS A MASTROIANNI II  
115 FRONT STREET SUITE 300  
JUPITER, FL 33477**

I/we submit this document and affirm that the facts stated herein are true. I/we am/are aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in section 817.155, Florida Statutes.

Signature: **NICHOLAS A MASTROIANNI II**

Electronic Signature of authorized person

170444M0024



1204440001

**EXHIBIT 7**

02060444011

**BUSINESS    NEW YORK CITY**

# How New York Real Estate Became a Dumping Ground for the World's Dirty Money

*Shady magnates and corrupt politicians from all over the globe are stashing their ill-gotten wealth in luxurious Manhattan apartments.*

*By Michael Hudson, Ionuț Stănescu and Sam Adler-Bell*

**JULY 3, 2014**

**D**uring Chen Shui-bian's second term as Taiwan's president, several people lugged five or six fruit boxes into the presidential residence in Taipei. Inside the crates was 200 million in New Taiwan Dollars (about US \$6 million) courtesy of Yuanta Securities, a financial firm involved in a contested merger.

Intended as a bribe for first lady Wu Shu-jen—with the hope she would prevail upon her husband to intervene on Yuanta's behalf—the cash followed a circuitous path thereafter. It was held in a bank vault in Taipei along with other piles of loose cash that the first lady described as

“political donations.” Later, much of the cash in the vault was stuffed into seven suitcases and stored in a basement at the home of a Yuanta executive. It was moved through banks in Hong Kong and the United States, then landed in a Swiss account controlled by the first couple’s son.

In the spring of 2008, a chunk of that money was wired into an account in Miami, where it was used to buy a \$1.6 million apartment in Manhattan’s Onyx Chelsea, a residential and commercial tower described by its promoters as “an elegantly-layered sculpture of glass, metal and granite illuminated at night by vertical bands of light.” Amenities included radiant-heated bathroom floors and rooftop terraces with dramatic views of the Empire State Building.

The journey of Wu Shu-jen’s ill-gotten cash illustrates one of New York’s dirty secrets: high-end real estate in the city is an alluring destination for corrupt politicians, tax dodgers and money launderers around the globe.

Since 2008, roughly 30 percent of condo sales in pricey Manhattan developments have been to buyers who listed an international address—most from China, Russia and Latin America—or bought in the name of a corporate entity, a maneuver often employed by foreign purchasers. Because many buyers go to great lengths to hide their interests in New York properties, it’s impossible to put a number on the proportion laundering ill-gotten gains. But according to money-laundering experts as well as court documents and

secret offshore records reviewed by the International Consortium of Investigative Journalists, New York real estate has become a magnet for dirty money.

Public officials and real-estate operatives in New York have mostly applauded the city's influx of mega-rich homesteaders from overseas, with former Mayor Michael Bloomberg leading the chorus during his time in office. "Wouldn't it be great if we could get all the Russian billionaires to move here?" he told *New York* magazine in September.

Combine that give-us-your-rich ethos with state and local policies that lavish tax breaks on Manhattan's wealthiest homeowners and federal policies that let real estate agents off the hook, and the results are predictable: New York is a magnet for the super-rich homebuyers from other lands bearing money of sometimes dubious provenance.

Jaikumar Ramaswamy, chief of the US Justice Department's anti-money laundering section, says oligarchs and despots like to put their money into high-end real estate for a number of reasons: they need an escape option if things take a turn for the worse in their home countries; they want to park their assets in an investment that's known to preserve value; and they want to be able to enjoy and flaunt their wealth. "They're not buying real

estate in Detroit," he says. "They're buying in places that give them some sort of status: London, Paris, New York, Malibu."

Many walk a fine line between showing off and staying on the down-low. Instead of putting property in their own names, they may arrange to put the names of their spouses, children, lawyers or other proxies on property deeds. Often, the buyer of record isn't a flesh-and-blood person—it's a limited liability company set up in a US state, or an offshore company established in the British Virgin Islands or some other overseas haven.

### **The Offshore Maze**

The story of the Manhattan apartment purchased by Taiwan's former first family illustrates how offshore structures are used to steer ill-gotten gains into real estate. Along with passing through a tangle of bank accounts, the bribe money's origins and the identities of the people associated with it were obscured by the use of offshore entities, including a trust registered on the Island of Nevis and shell companies in the British Virgin Islands.

As a final step in the effort to obscure the money trail, a Miami-based wealth adviser, a German national named Stefan R. Seuss, set up a New York company, West 28th Street LLC, that stood in as the Chelsea condo's owner of



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sometime after he was indicted in 2009 in Philadelphia on unrelated money-laundering charges. He later pleaded guilty, paid a fine, and served a short stint in jail.

Despite evidence marshaled by authorities in Taiwan and the United States, American prosecutors had to battle for nearly two and a half years to seize the Chelsea condo. An attorney representing the first couple's son denied the family had done anything wrong and charged that the US Justice Department's forfeiture action was an effort to "curry favor with the current government of Taiwan."

In April 2013, the condo was auctioned for \$1.5 million. As part of a settlement of the litigation, \$225,000 of that went to the offshore company that controls West 28th Street LLC. The rest sits in the US Treasury, apparently waiting for a decision on Taiwan's request that the United States share a portion of its take from the sale.

Ramaswamy, the Justice Department official, says seizing real estate under such circumstances is often difficult. Authorities can't just show that the owner of the property is corrupt. "You have to prove the nexus between the corruption and the property itself," he said. "Sometimes judges are skeptical: Why are we are going after some foreign guy who did something in a foreign country?"

**Easy Access**

US authorities don't put up many roadblocks for foreigners who want to launder money through American real estate. Escrow and real estate agents aren't required to find out the true identities of property buyers—the real people behind the front men or corporate shells. The Patriot Act, passed after the 9/11 attacks, requires that banks, securities houses and other financial firms follow stringent anti-money laundering rules and report suspicious transactions to law enforcement. Real estate and escrow agents were included on the list, but a loophole in the law gave an opening for the US Treasury to “temporarily” exempt the real estate industry from these requirements. A dozen years later, the exemption still stands.

Investigations led by US Sen. Carl Levin, a Michigan Democrat, have highlighted the role of real estate agents in helping corrupt foreign officials and their families move looted cash into the US. Levin has called for Treasury to revoke the Patriot Act exemptions “so that real estate and escrow agents will have to know their customers, evaluate the source of their funds, and turn away suspect clients.”

Louise I. Shelley, director of the Terrorism, Transnational Crime and Corruption Center at Virginia's George Mason University, believes that money laundering into real estate has increased since 9/11 as scrutiny of other kinds of transactions has increased.



The use of real estate as a haven for dirty money, she says, is “terribly overlooked” by researchers, politicians and regulators. “I’ve even written people in Treasury who have asked me about this, and they haven’t gotten back to me,” Shelley says. “It’s a big hole.”

## A-list Destination

The lax standards for real estate transactions in the United States sometimes mean that Manhattan's financial and cultural elite end up with mysterious figures as their neighbors.

In early 2008, a British Virgin Islands company, Jolly Star Holding Limited, paid more than \$15 million to buy an apartment and maid's quarters in Fifteen Central Park West, an A-list address whose residents have included Sting, Denzel Washington, former Citibank chief Sanford Weill and baseball superstar Alex Rodriguez. British Virgin Islands law closely guards the identities of the shareholders of companies chartered there, making the owner of the property difficult to trace.

The owners of Jolly Star Holding—and thus the owners of Apartment 14B at 15CPW—would have remained a secret if not for confidential records obtained by the International Consortium of Investigative Journalists. These documents show Jolly Star Holding’s owners were a Hong Kong power couple, Sun Min and her husband, Peter Mok Fung. The

couple runs a shipping and trading company and are known to buy and sell shares on the Hong Kong Stock Exchange in batches of \$10 million or more.

A few months after they purchased the Manhattan condo, the couple made another big investment, buying more than 8 million shares in Huiyuan, a Chinese juice company. After it was announced in September 2008 that Coca-Cola wanted to buy Huiyuan, the juice maker's stock value soared and Min began selling off the couple's shares. The Coke deal eventually fell through, but not before Min and her husband had reaped millions of dollars in profit, Hong Kong authorities later charged.

Regulators claim that the windfall wasn't the result of luck or acumen, but rather due to illegal information obtained by Min before Coke's interest in Huiyuan was made public. In 2013 Hong Kong's Market Misconduct Tribunal found Min guilty of insider trading, fining her more than \$3 million, the largest penalty ever laid down by the tribunal.

### **Fact of Life**

Money laundering and New York real estate have a long history.

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Philippines. After the Marcoses fled to Hawaii in 1986, the Philippines' newly formed Presidential Commission on Good Government moved to seize the Manhattan showplace as part of its push to recover billions of dollars it claimed the couple looted from the country. The Philippines government sold the condo for just under \$3.7 million. It also auctioned off the apartment's contents—including a Fantin-Latour painting that went for \$400,000—at Christie's. Proceeds from the condo and furnishings, Philippine officials promised, would be used to help bankroll the country's agrarian land reform.

### **Position of Privilege**

A few years later, money traced to another suspect Philippine official also ended up in a luxury property in New York.

The paper trail began to emerge in December 2003, after customs officers at San Francisco International Airport detained two sons of a powerful Philippine army general and accused them of trying to smuggle \$100,000 into the United States.

Their mother got involved by submitting a handwritten affidavit in which she frankly explained that the position held by her husband, Maj. Gen. Carlos Garcia, "is one of privilege," allowing him to benefit from "gifts and gratitude money from several Philippine companies that are awarded

military contracts to build roads, bridges and military housing.” (Clarita Garcia also noted, in another odd aside, that the Philippine military provided her five drivers and five vehicles and a cook who played the piano for her “upon request.”)

The sons’ arrest and the mother’s statement to US officials helped spark an investigation back in the Philippines that turned up evidence her husband had acquired as much as \$6 million in undeclared income. He was court-martialed, convicted of perjury and sent to prison.

Among the assets that US authorities went after in the wake of the investigation was a condo at New York’s Trump Park Place tower. Clarita Garcia and a third son, Timothy, purchased Unit 6A in the luxury building for \$765,000 in 2004. US prosecutors said the money, funneled through a joint account held by mother and son at Citibank, had been amassed through the general’s corrupt activities.

In 2009, as the forfeiture claim and extradition cases against Clarita Garcia and her three sons dragged on, Timothy Garcia was working as a publicist for Marc Jacobs’s fashion empire, getting photographed at Fashion Week wearing an electronic monitoring device and complaining that the court-ordered ankle bracelet was so uncomfortable, “I can’t even wear my knee high croc boots by Sergio Rossi for the fall.”

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Islands company and related US firms that are the owners of record of the properties claim there's no evidence that the firms or their managers were involved in a Russian tax fraud.

Allies of both the winner and the loser in Ukraine's 2010 presidential election, meanwhile, have been accused of money-laundering schemes involving New York properties. A lawsuit in federal court in Manhattan claims that illicit cash gathered by that election's loser, former Prime Minister Yulia Tymoshenko, was invested by her business associates in an array of New York properties. The suit alleges that a former assistant finance minister in Russia plowed part of a \$10 million bribe he received from Tymoshenko into real estate in the city. Another associate, the suit alleges, used money spun off from Tymoshenko's "corrupt schemes" to buy 14 Wall Street, an office tower across from the New York Stock Exchange.

Tymoshenko denies wrongdoing, and asserts that the corruption investigation that landed her in jail after the 2010 election was politically tainted. She in turn has accused a key contributor to Viktor Yanukovich, the 2010 election's winner, of engaging in money laundering via New York real estate. In a lawsuit in federal court in Manhattan, she claims that one of Yanukovich's political patrons, billionaire businessman Dmytro Firtash, moved money through American banks by pretending he was using it to invest in New York real estate projects. After the cash had

been "sufficiently laundered," the suit alleges, Firtash and other defendants sent much of it back to Ukraine to bankroll "political corruption and other racketeering activities."

Firtash was arrested in March in Austria, at the request of US authorities, on suspicion of bribery and organized crime activities.

### **Family Trust**

Other notorious figures in Eastern Europe and the former Soviet Union whose names have been linked to pricey Manhattan properties include a famed Romanian shopping-mall developer and Russia's fertilizer king.

Gabriel Popoviciu became one of Romania's richest men by helping introduce his country to KFC and other American fast-food icons. Research by a European news organization, the Organized Crime and Corruption Reporting Project, has revealed that his family has shelled out more than \$8 million over the past decade to buy three apartments on the forty-fourth floor of the Olympic Tower, one flight up from where Ferdinand and Imelda Marcos once held luxury space. He and his wife bought an apartment from American banker John Chalsty in 2004. The couple's daughter was listed as the buyer of nearby apartments in 2006 and 2012. The last one was bought from Christie's for \$3.6 million.

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Recently, though, Gabriel Popoviciu removed his name from the family holdings in the Olympic Tower. This move came amid two unfolding life events for him—a divorce from his long-time spouse and a criminal investigation of his business dealings in Romania. Prosecutors allege he and his associates bribed government officials as part of the behind-the-scenes machinations that allowed him to gain control of valuable state-owned land and develop a huge project that includes supermarkets, restaurants and the US Embassy. Popoviciu denies wrongdoing.

Authorities have frozen Popoviciu's assets in Romania, but have put no restrictions on his property outside the country. In March, Popoviciu sold his newly ex-wife his half-share of the apartment they purchased in 2004. The sale price: zero dollars.

A trust created from the fortune of Russian fertilizer magnate Dmitry Rybolovlev made an even bigger splash in New York real estate. It paid \$88 million in February 2012 to buy a ten-room penthouse at 15 Central Park West from the wife of the former Citigroup chair Sandy Weill. The trust was set up to benefit Rybolovlev's oldest daughter, Ekaterina, as part of a "succession planning" program, his lawyer says. *The Telegraph*, a UK newspaper that closely follows the activities of Russian billionaires, reported that Ekaterina—"a Monaco resident and keen

horsewoman”—was expected to use the penthouse “during trips to New York when she takes a course this autumn at Harvard.”

Rybolovlev’s estranged wife, Elena, claims that her husband was the real buyer of the property. She charges in a lawsuit in New York that the trust is a “sham entity” and the purchase of the penthouse is part of a scheme to hide his assets amid their divorce battle.

“It’s a joke to claim that he spent \$88 million on such a huge apartment so that his daughter can supposedly use it on occasional visits to the city when she is not even studying here,” her New York attorney, David Newman, told *The Telegraph*. “You could fit her whole class in there. Imagine the student parties.”

## **Influence**

The massive flow of foreign money—licit and illicit—into New York real estate helps deprive the buyers’ home countries of wealth and tax revenues. Housing advocates say it also helps inflate property values, pricing average New Yorkers out of buying or renting and helping increase the city’s huge homeless population.

Critics say tax and development policies have been skewed to favor the rich because New York’s real estate interests are skilled at wielding clout. “It’s like the oil industry in



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In recent years, many of the world's biggest banks have paid huge settlements with the US government to settle claims that they helped rich clients hide their money. In May, Credit Suisse agreed to pay \$2.6 billion to settle criminal charges that it used secret accounts and shell companies to help Americans evade taxes. Shelley believes that the real estate industry should be forced to follow the same standards as other big financial players.

"Nobody has been holding the real estate industry accountable to the extent that other sectors of the economy are being held accountable," she said. "I think we need congressional hearings on this issue, and greater resources for law enforcement to deal with this problem."

*The story is part of a joint investigation by the International Consortium of Investigative Journalists, New York magazine and the Organized Crime and Corruption Reporting Project. Andrew Rice, Margot Williams, Mar Cabra, Titus Plattner and Pavla Holcova contributed research to this story. More of ICIJ's reporting on money laundering and financial secrecy can be found at [www.icij.org/offshore](http://www.icij.org/offshore).*

●

**MICHAEL HUDSON**

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**SAM ADLER-BELL** Sam Adler-Bell is an intern at *The Nation*, Asst. Essays Editor at *Wag's Revue* and campaigner with Demand Progress. He lives in Brooklyn. Follow him @SamAdlerBell.

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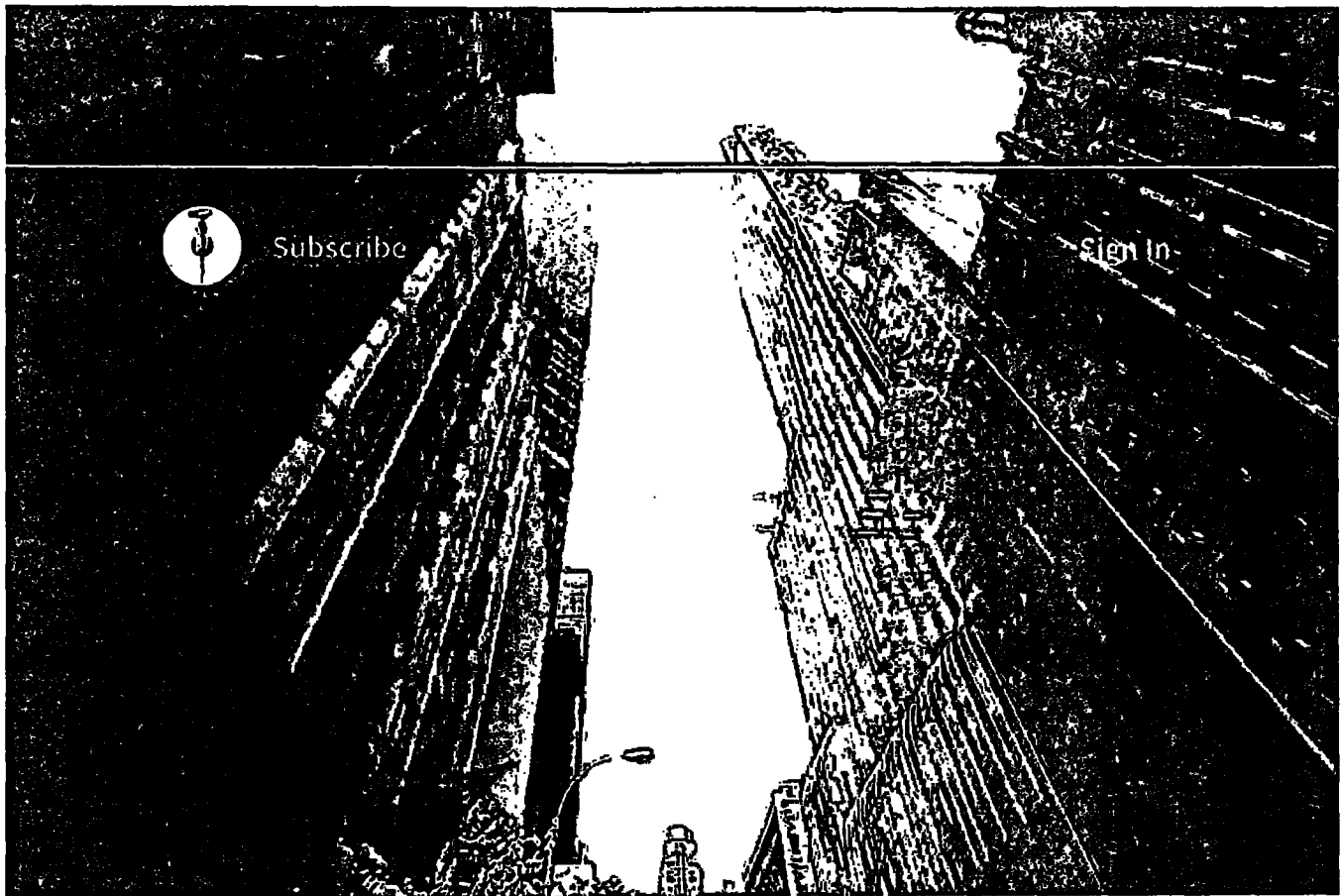
U.S.

# IN REAL ESTATE, THE CHINESE TAKE MANHATTAN

BY REUTERS ON 4/25/14 AT 1:04 PM

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**One57 is a new luxury skyscraper apartment building under construction on New York City's West 57th street. Wealthy Chinese are pouring money into real estate in New York and some other major cities around the world.**

MIKE SEGAR/REUTERS

**U.S.**

**CHINA**

**RUSSIA**

**REAL ESTATE**

**NEW YORK CITY**

NEW YORK/SYDNEY (Reuters) - For the first time, the Chinese have become the biggest foreign buyers of apartments in Manhattan, real estate brokers estimate, taking the mantle from the Russians - whose activity has dropped off since the unrest in Ukraine and the imposition of sanctions against Russia by the United States.

Wealthy Chinese are pouring money into real estate in New York and some other major cities around the world, including London and Sydney, as they seek safe havens for their cash and also establish a base for their children to get an education in the West.



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Reuters asked five of the top real estate brokerages for their ranking of foreign buyers in New York City. The Chinese ranked first in both volume and value of sales in all their estimates. Opinions differed on just how the Russians, Europeans and South Americans stacked up next.

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There are no official figures collected on the national and ethnic backgrounds of home buyers because of U.S. fair housing laws, designed to protect against discrimination.

The Chinese interest is mainly a valuation play, real estate experts say. After the U.S. housing bust in 2007-2010, home prices in major U.S. cities fell to levels that made them attractive. While U.S. prices have been recovering, they are still appealingly low by comparison with many other parts of the world.

Many Chinese buyers are switching their interest away from markets like Shanghai, Hong Kong and Singapore amid fears that prices have soared to frothy levels in those cities. Luxury apartments cost between \$4,100 and \$5,000 per square foot in Hong Kong, while in Manhattan and Sydney they cost half that, ranging from about \$2,100 to \$2,500, according to Knight Frank's Prime International Residential Index. London is also cheaper, at \$3,300 to \$4,100 per square foot.

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The brokers say that many Chinese buyers are also investing abroad so they can own property near major educational institutions. Some are buying homes near top colleges — even though their children are so little they can't walk yet. More than 80 percent of wealthy Chinese want to send their children overseas to school, according to the Hurun Report, a U.S.-based publication.

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"By far and away, the Chinese are the fastest growing demographic," said Dean Jones, a U.S.-based broker with Sotheby's International. "They are the top consumer for real estate, and New York is front and center."

Added Pamela Liebman, CEO of the Corcoran Group, one of the best known New York real estate firms: "In sheer numbers, the Chinese outspend the Russians in every segment of the market."

#### THE RUSSIANS: "THEY'RE GONE"

In Manhattan, it wasn't long ago that Russian oligarchs dominated the gilded world of real estate, gobbling up status-heavy, marquee properties, such as an \$88 million, Robert A.M. Stern-designed penthouse and a \$75 million mansion with a ballroom and a rooftop aerie.

Now, many brokers say, Russian buyers have become scarce largely because of fears that the struggle over Ukraine will worsen leading to increasingly tough U.S. sanctions on politically-connected and wealthy Russians.

"They're gone, they're gone," said Sotheby's International broker Nikki Field, "They've been gone since the Crimean outbreak."

The Chinese grew to 28.5 percent of Field's international business in the first quarter of 2014, up from 19 percent last year. "We've only scratched the surface with Chinese demand," Field said.

Chinese buyers typically used to pick up properties in the \$1 to \$5 million range in New York, often buying two and three at a time for investment purposes, the brokers said.

But lately they have been moving up market, brokers say. The current in-vogue building among the Chinese is Central Park's One57, a new skyscraper designed by Pritzker Prize-winning French architect Christian de Portzamparc, where they can spend \$18.85 million for a three-bedroom or \$55 million for an apartment taking up the entire 81st floor. The building comes with all of the amenities of a five-star hotel.

The Chinese are also venturing out to Long Island, where they are buying Gatsby-esque mansions set atop rolling greens.

Broker Shawn Elliott ferries around groups of Chinese buyers in Rolls Royce and Mercedes-Benz luxury sprinters every week, often catering to entire families at a time.

"They're looking for trophy properties," said Elliott. "They're looking for their children to be comfortable, and to be near Columbia or New York University."

Some Chinese aren't even bothering to come to the United States at all, going so far as to pick up multi-million-dollar properties sight unseen.

One Chinese buyer recently purchased two properties, worth \$13 million, at the Baccarat Hotels & Residences in New York. The entire deal was done via the Chinese social networking site WeChat, according to the broker who did the deal, Douglas Elliman's Emma Hao.

"I think the Chinese trend is onwards and upwards," said Liam Bailey, a partner with Knight Frank. "There will be more Chinese buyers, and they will take more share of the market."

New York isn't alone.

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In Sydney, the Chinese became the top buyers of new luxury homes last year, according to sales research conducted by Knight Frank.

Shanghai businessman Wang Jiguang has already picked up two houses in another major Aus. city, Melbourne, and one apartment in Sydney. "My child is going to study abroad, and we are just preparing some overseas assets for our child, which will be less risky," Wang said in a telephone interview from Shanghai.

Mainland Chinese were the top foreign investors in Australian real estate last year, according to Australia's Foreign Investment Review Board. They bought \$5.9 billion worth of property, accounting for 11.4 percent of total foreign investment in real estate, FIRB said.

The data includes both residential and commercial properties. But the average value of the purchases for China is the lowest of all the countries, which suggests a large number of the deals are for residential property.

Monika Tu, a broker at top-end real estate firm Black Diamondz Property Concierge in Sydney, says that over the past year mainland Chinese have become 80 percent of her company's business.

"There is nearly no local market for top-end properties," says Tu.

That fact has made the local headlines, with some accusing the Chinese of "pricing out local buyers". In March, Australia's federal parliament announced an inquiry into foreign investment in the sector in a bid to find out whether local real estate deals are being properly policed.

In Manhattan, some locals are also starting to grumble, brokers say, about the new "China Price", a phenomenon that can see Chinese buyers sweep in and outbid other buyers, often with all-cash offers.

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In London, robust property laws and British universities are a big draw for the Chinese. They became the city's number one foreign buyer last year, according to Knight Frank, accounting for 6 percent of all purchases over 1 million pounds (\$1.68 million). The Russians accounted for 5.2 percent.

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"The Russian buyers are a maturing market," said Bailey. "And they aren't growing anything like the Chinese buyers."

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## EXHIBIT 9

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

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1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

Floridians for a Strong Middle Class

ADDRESS (number and street) ▼

1007 N Federal Hwy

#317

Check if different  
than previously  
reported. (ACC)

Fort Lauderdale

FL

33304

2. FEC IDENTIFICATION NUMBER ▼

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STATE ▲

ZIP CODE ▲

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3. IS THIS  
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OR

☐AMENDED  
(A)

4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

April 15  
Quarterly Report (Q1)July 15  
Quarterly Report (Q2)October 15  
Quarterly Report (Q3)☒ January 31  
Year-End Report (YE)July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)Termination Report  
(TER)(b) Monthly  
Report  
Due On:☐ Feb 20 (M2)☐ May 20 (M5)☐ Aug 20 (M8)☐ Nov 20 (M11)  
(Non-Election  
Year Only)☐ Mar 20 (M3)☐ Jun 20 (M6)☐ Sep 20 (M9)☐ Dec 20 (M12)  
(Non-Election  
Year Only)☐ Apr 20 (M4)☐ Jul 20 (M7)☐ Oct 20 (M10)☐ Jan 31 (YE)

(c) 12-Day

PRE-Election

Report for the:

☐ Primary (12P)☐ General (12G)☐ Runoff (12R)☐ Convention (12C)☐ Special (12S)

Election on

In the  
State of

(d) 30-Day

POST-Election

Report for the:

☐ General (30G)☐ Runoff (30R)☐ Special (30S)

Election on

In the  
State of

5. Covering Period

M M / D D / Y Y Y Y

07

01

2015

through

M M / D D / Y Y Y Y

12

31

2015

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Jennifer May

Signature of Treasurer

Jennifer May

[Electronically Filed]

Date

M M / D D / Y Y Y Y

01

31

2016

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Rev. 12/2004

# SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Floridians for a Strong Middle Class

Report Covering the Period:

From:

MM / DD / YYYY  
07 / 01 / 2015

To:

MM / DD / YYYY  
12 / 31 / 2015

## COLUMN A This Period

## COLUMN B Calendar Year-to-Date

6. (a) Cash on Hand January 1, 2015		0.00
(b) Cash on Hand at Beginning of Reporting Period.....	25000.00	
(c) Total Receipts (from Line 19) .....	535050.00	560050.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	560050.00	560050.00
7. Total Disbursements (from Line 31) .....	81977.98	81977.98
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	478072.02	478072.02
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

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FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

Floridians for a Strong Middle Class

Report Covering the Period:

From:

MM / DD / YYYY  
07 / 01 / 2015

To:

MM / DD / YYYY  
12 / 31 / 2015**I. Receipts****COLUMN A**  
Total This Period**COLUMN B**  
Calendar Year-to-Date**11. Contributions (other than loans) From:****(a) Individuals/Persons Other**

Than Political Committees

**(i) Itemized (use Schedule A).....**

535050.00

560050.00

**(ii) Unitemized.....**

0.00

0.00

**(iii) TOTAL (add**

Lines 11(a)(i) and (ii).....▶

535050.00

560050.00

**(b) Political Party Committees.....**

0.00

0.00

**(c) Other Political Committees**

(such as PACs).....

0.00

0.00

**(d) Total Contributions (add Lines**

11(a)(iii), (b), and (c)) (Carry

Totals to Line 33, page 5).....▶

535050.00

560050.00

**12. Transfers From Affiliated/Other**

Party Committees.....

0.00

0.00

**13. All Loans Received.....**

0.00

0.00

**14. Loan Repayments Received.....**

0.00

0.00

**15. Offsets To Operating Expenditures**

(Refunds, Rebates, etc.)

(Carry Totals to Line 37, page 5).....

0.00

0.00

**16. Refunds of Contributions Made**

to Federal Candidates and Other

Political Committees.....

0.00

0.00

**17. Other Federal Receipts**

(Dividends, Interest, etc.).....

0.00

0.00

**18. Transfers from Non-Federal and Levin Funds****(a) Non-Federal Account**

(from Schedule H3).....

0.00

0.00

**(b) Levin Funds (from Schedule H5).....**

0.00

0.00

**(c) Total Transfers (add 18(a) and 18(b))..**

0.00

0.00

**19. Total Receipts (add Lines 11(d),  
12, 13, 14, 15, 16, 17, and 18(c)).....▶**

535050.00

560050.00

**20. Total Federal Receipts**

(subtract Line 18(c) from Line 19).....▶

535050.00

560050.00

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:			
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)			
(i) Federal Share .....	0.00	0.00	
(ii) Non-Federal Share .....	0.00	0.00	
(b) Other Federal Operating Expenditures .....	81977.98	81977.98	
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	81977.98	81977.98	
22. Transfers to Affiliated/Other Party Committees .....	0.00	0.00	
23. Contributions to Federal Candidates/Committees and Other Political Committees .....	0.00	0.00	
24. Independent Expenditures (use Schedule E) .....	0.00	0.00	
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F) .....	0.00	0.00	
26. Loan Repayments Made .....	0.00	0.00	
27. Loans Made .....	0.00	0.00	
28. Refunds of Contributions To:			
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00	
(b) Political Party Committees .....	0.00	0.00	
(c) Other Political Committees (such as PACs) .....	0.00	0.00	
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)) .....	0.00	0.00	
29. Other Disbursements .....	0.00	0.00	
30. Federal Election Activity (2 U.S.C. §431(20))			
(a) Allocated Federal Election Activity (from Schedule H6)			
(i) Federal Share .....	0.00	0.00	
(ii) "Levin" Share .....	0.00	0.00	
(b) Federal Election Activity Paid Entirely With Federal Funds .....	0.00	0.00	
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....	0.00	0.00	
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	81977.98	81977.98	
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31) .....	81977.98	81977.98	



# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	535050.00	560050.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	535050.00	560050.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	81977.98	81977.98
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	81977.98	81977.98

1204400005

# **SCHEDULE A (FEC Form 3X)** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: (check only one)  
☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

PAGE 6 OF 24

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. 230 East 63rd-6 Trust LLC

Mailing Address 1295 US Highway 1

City

North Palm Beach

State

FL

Zip Code

33408-3501

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary  
☐ Other (specify) ▼

Primary

☐ General

General

Aggregate Year-to-Date ▼

25000.00

Date of Receipt

09 / 02 / 2015

Transaction ID : VR069BPV2V9

Amount of Each Receipt this Period

25000.00

Full Name (Last, First, Middle Initial)

B. 230 East 63rd-6 Trust LLC

Mailing Address 1295 US Highway 1

City

North Palm Beach

State

FL

Zip Code

33408-3501

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary  
☐ Other (specify) ▼

Primary

☐ General

General

Aggregate Year-to-Date ▼

50000.00

Date of Receipt

12 / 14 / 2015

Transaction ID : VR069EJJ6Z3

Amount of Each Receipt this Period

25000.00

Full Name (Last, First, Middle Initial)

C. Leonard Abess

Mailing Address 100 SE 32nd Rd

City

Miami

State

FL

Zip Code

33129-2807

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

City National Bank of Florida

CEO

Receipt For:

☐ Primary  
☐ Other (specify) ▼

Primary

☐ General

General

Aggregate Year-to-Date ▼

5000.00

Date of Receipt

12 / 11 / 2015

Transaction ID : VR069EJ81V2

Amount of Each Receipt this Period

5000.00

SUBTOTAL of Receipts This Page (optional).....▶

55000.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

FOR LINE NUMBER: PAGE 7 OF 24

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Apogee Investment Partners, LLC

Mailing Address 3060 SW 2nd Ave

City

Ft Lauderdale

State

FL

Zip Code

33315-3310

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

15000.00

Date of Receipt

 M M / D D / Y Y Y Y  
 07 / 31 / 2015

Transaction ID : VR069AX5PT8

Amount of Each Receipt this Period

15000.00

Full Name (Last, First, Middle Initial)

B. Becker &amp; Poliakoff, P.A.

Mailing Address 1 E Broward Blvd  
Ste 1800

City

Ft Lauderdale

State

FL

Zip Code

33301-1876

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

2200.00

Date of Receipt

 M M / D D / Y Y Y Y  
 12 / 22 / 2015

Transaction ID : VR069EMKQ63

Amount of Each Receipt this Period

2200.00

Full Name (Last, First, Middle Initial)

C. Stephen H. Bittel

Mailing Address 801 Arthur Godfrey Rd  
Ste 600

City

Miami Beach

State

FL

Zip Code

33140-3320

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Terranova Corporation

Chairman

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

25000.00

Date of Receipt

 M M / D D / Y Y Y Y  
 09 / 14 / 2015

Transaction ID : VR069C4FHA5

Amount of Each Receipt this Period

25000.00

SUBTOTAL of Receipts This Page (optional).....▶

42200.00

TOTAL This Period (last page this line number only).....▶

# **SCHEDULE A (FEC Form 3X)** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 8 OF 24

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

## **A. CC1 Companies LLC**

Mailing Address 220 Alhambra Cir  
Ste 304

City State Zip Code  
Coral Gables FL 33134-5174

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

10000.00

Date of Receipt

MM / DD / YYYY  
09 / 30 / 2015

Transaction ID : VR069CDCQP4

Amount of Each Receipt this Period

10000.00

Full Name (Last, First, Middle Initial)

## **B. Chic Boutique Fashion, LLC**

Mailing Address 5123 Isabella Dr

City State Zip Code  
Palm Beach Gardens FL 33418-6708

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

5000.00

Date of Receipt

MM / DD / YYYY  
11 / 18 / 2015

Transaction ID : VR069ECSSRZ4

Amount of Each Receipt this Period

5000.00

Full Name (Last, First, Middle Initial)

## **C. Ciklin, Lubitz & O'Connell**

Mailing Address 515 N Flagler Dr  
Fl 20

City State Zip Code  
West Palm Beach FL 33401-4330

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

500.00

Date of Receipt

MM / DD / YYYY  
11 / 18 / 2015

Transaction ID : VR069ECSS10

Amount of Each Receipt this Period

500.00

SUBTOTAL of Receipts This Page (optional).....▶

TOTAL This Period (last page this line number only).....▶

15500.00

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 9 OF 24

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Michael Cohen

Mailing Address 1800 S Ocean Blvd

Apt 1006

City

Pompano Beach

State

FL

Zip Code

33062-7918

FEC ID number of contributing  
federal political committee.

C

Name of Employer

N/A

Occupation

Retired

Receipt For:

☐ Primary☐ General☐ Other (specify) ▼

Aggregate Year-to-Date ▼

10000.00

Date of Receipt

M - M / D - D / Y - Y - Y - Y  
12 / 31 / 2015

Transaction ID : VR069ENFKZ4

Amount of Each Receipt this Period

10000.00

Full Name (Last, First, Middle Initial)

B. Christine M. Hoke

Mailing Address 2033 Staysail Ln

City

Jupiter

State

FL

Zip Code

33477-1430

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Ciklin, Lubitz &amp; O'Connell

Occupation

Attorney

Receipt For:

☐ Primary☐ General☐ Other (specify) ▼

Aggregate Year-to-Date ▼

2000.00

Date of Receipt

M - M / D - D / Y - Y - Y - Y  
11 / 18 / 2015

Transaction ID : VR069ECSS28

Amount of Each Receipt this Period

2000.00

Full Name (Last, First, Middle Initial)

C. LRP Publications, Inc.

Mailing Address 360 Hiatt Dr

City

Palm Beach Gardens

State

FL

Zip Code

33418-7106

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary☐ General☐ Other (specify) ▼

Aggregate Year-to-Date ▼

20000.00

Date of Receipt

M - M / D - D / Y - Y - Y - Y  
07 / 31 / 2015

Transaction ID : VR069AX5PV6

Amount of Each Receipt this Period

20000.00

SUBTOTAL of Receipts This Page (optional)..... ►

32000.00

TOTAL This Period (last page this line number only)..... ►

# **SCHEDULE A (FEC Form 3X)** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 10 OF 24

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Anthony Mastroianni

Mailing Address 1175 Key Largo St

City State Zip Code  
 Jupiter FL 33458-8279

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
 Allied Capital and Development LLC.

Occupation  
 Development Representative

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

5000.00

Date of Receipt

11 / 18 / 2015

Transaction ID : VR069ECST29

Amount of Each Receipt this Period

5000.00

Full Name (Last, First, Middle Initial)

B. Roseann M. McEwen

Mailing Address 1485 Via Miguel

City State Zip Code  
 Jupiter FL 33477-7251

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
 Weekes & Callaway

Occupation  
 Sales Executive

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

1500.00

Date of Receipt

11 / 18 / 2015

Transaction ID : VR069ECST78

Amount of Each Receipt this Period

1500.00

Full Name (Last, First, Middle Initial)

C. Jeffrey S Miller

Mailing Address 125 E San Marino Dr

City State Zip Code  
 Miami Beach FL 33139-1103

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
 Jeff Miller Group

Occupation  
 Real Estate Agent

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

5000.00

Date of Receipt

12 / 16 / 2015

Transaction ID : VR069EMDH58

Amount of Each Receipt this Period

5000.00

SUBTOTAL of Receipts This Page (optional).....▶

TOTAL This Period (last page this line number only).....▶

11500.00

# **SCHEDULE A (FEC Form 3X)** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 11 OF 24

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Stuart A Miller

Mailing Address 700 NW 107th Ave

City State Zip Code  
 Miami FL 33172-3161

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Lennar

Occupation

CEO

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

5000.00

Date of Receipt

12 / 16 / 2015

Transaction ID : VR069EMDHC4

Amount of Each Receipt this Period

5000.00

Full Name (Last, First, Middle Initial)

B. Chad Moss

Mailing Address 1736 SE 13th St

City State Zip Code  
 Fort Lauderdale FL 33316-2216

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Moss Construction Managers

Occupation

Executive Vice President

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

1000.00

Date of Receipt

11 / 18 / 2015

Transaction ID : VR069ECST94

Amount of Each Receipt this Period

1000.00

Full Name (Last, First, Middle Initial)

C. Scott R. Moss

Mailing Address 2820 NE 23rd Pl

City State Zip Code  
 Pompano Beach FL 33062-1136

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Moss Construction Managers

Occupation

President

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

2500.00

Date of Receipt

11 / 18 / 2015

Transaction ID : VR069ECSTS0

Amount of Each Receipt this Period

2500.00

SUBTOTAL of Receipts This Page (optional).....▶

8500.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 12 OF 24

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Thomas P Murphy Jr.

Mailing Address 5959 Blue Lagoon Dr  
Ste 200City State Zip Code  
Miami FL 33126-2052FEC ID number of contributing  
federal political committee.

C

Name of Employer

Costal Construction

Occupation

CEO

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

200000.00

Date of Receipt

M M / D D / Y Y Y Y Y Y  
12 18 2015

Transaction ID : VR069EMDGS4

Amount of Each Receipt this Period

200000.00

Full Name (Last, First, Middle Initial)

B. O'Donnell, Naccarato, Mignogna &amp; Jackson

Mailing Address 321 L A Kirksey St  
Ste 200City State Zip Code  
West Palm Beach FL 33401-2732FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

350.00

Date of Receipt

M M / D D / Y Y Y Y Y Y  
11 18 2015

Transaction ID : VR069ECSTY0

Amount of Each Receipt this Period

350.00

Full Name (Last, First, Middle Initial)

C. Poarch Band of Creek Indians

Mailing Address 5811 Jack Springs Rd

City State Zip Code  
Atmore AL 36502-5025FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

50000.00

Date of Receipt

M M / D D / Y Y Y Y Y Y  
10 26 2015

Transaction ID : VR069E89YE0

Amount of Each Receipt this Period

50000.00

SUBTOTAL of Receipts This Page (optional).....▶

250350.00

TOTAL This Period (last page this line number only).....▶



**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER: PAGE 13 OF 24  
 (check only one)  
☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Pride United Limited Partnership

Mailing Address 2139 Palm Beach Lakes Blvd

City

West Palm Beach

State

FL

Zip Code

33409-6601

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐

Primary

☐

General

☐

Other (specify) ▼

Aggregate Year-to-Date ▼

20000.00

Date of Receipt

MM / DD / YYYY  
12 / 29 / 2015

Transaction ID : VR069ENF0C3

Amount of Each Receipt this Period

20000.00

Full Name (Last, First, Middle Initial)

B. Michael Smith

Mailing Address 1215 Spruce St  
Ste 200

City

Boulder

State

CO

Zip Code

80302-4839

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Information Requested

Information Requested

Receipt For:

☐

Primary

☐

General

☐

Other (specify) ▼

Aggregate Year-to-Date ▼

100000.00

Date of Receipt

MM / DD / YYYY  
07 / 16 / 2015

Transaction ID : VR069ASQ1Q3

Amount of Each Receipt this Period

100000.00

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐

Primary

☐

General

☐

Other (specify) ▼

Aggregate Year-to-Date ▼

Date of Receipt

MM / DD / YYYY

Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional).....▶

120000.00

TOTAL This Period (last page this line number only).....▶

535050.00

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 14 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

**A. Cameron Beilly**

Date of Disbursement

MM	DD	YY
07	20	2015

Mailing Address 907 SE 7th St

Transaction ID : VQZ719Q2BA4

City	State	Zip Code
Fort Lauderdale	FL	33301-3021

Amount of Each Disbursement this Period

Purpose of Disbursement  
Reimbursement (Vendors that aggregate over \$200 listed below)

Amount
34.50

Candidate Name

Category/  
Type

Office Sought:	Disbursement For:
<input type="checkbox"/> House	<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Senate	<input type="checkbox"/> Other (specify) ▼
<input type="checkbox"/> President	

State: District:

Full Name (Last, First, Middle Initial)

**B. Cameron Beilly**

Date of Disbursement

MM	DD	YY
11	17	2015

Mailing Address 907 SE 7th St

Transaction ID : VQZ71A22EN0

City	State	Zip Code
Fort Lauderdale	FL	33301-3021

Amount of Each Disbursement this Period

Purpose of Disbursement  
Reimbursement (Vendors that Aggregate Over \$200 Listed Below)

Amount
61.37

Candidate Name

Category/  
Type

Office Sought:	Disbursement For:
<input type="checkbox"/> House	<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Senate	<input type="checkbox"/> Other (specify) ▼
<input type="checkbox"/> President	

State: District:

Full Name (Last, First, Middle Initial)

**C. UPS**

Date of Disbursement

MM	DD	YY
11	17	2015

Mailing Address 55 Glenlake Pkwy

Transaction ID : VQZ71A22EQ5

City	State	Zip Code
Atlanta	GA	30328-3474

Amount of Each Disbursement this Period

Purpose of Disbursement  
Shipping

Amount
21.13

Candidate Name

Category/  
Type

Office Sought:	Disbursement For:
<input type="checkbox"/> House	<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Senate	<input type="checkbox"/> Other (specify) ▼
<input type="checkbox"/> President	

State: District:

SUBTOTAL of Disbursements This Page (optional).....▶

95.87

TOTAL This Period (last page this line number only).....▶

# **SCHEDULE B (FEC Form 3X)** **ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 15 OF 24

☒ 21b ☐ 22 ☐ 23 ☐ 24 ☐ 25 ☐ 26  
☐ 27 ☐ 28a ☐ 28b ☐ 28c ☐ 29 ☐ 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. UPS

Date of Disbursement

Mailing Address 55 Glenlake Pkwy

11 / 17 / 2015

City Atlanta State GA Zip Code 30328-3474

Transaction ID : VQZ71A22ER3

Purpose of Disbursement  
Shipping

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

21.33

[MEMO ITEM]

Office Sought: ☐ House ☐ Senate ☐ President

Disbursement For: ☐ Primary ☐ General ☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

B. UPS

Date of Disbursement

Mailing Address 55 Glenlake Pkwy

11 / 17 / 2015

City Atlanta State GA Zip Code 30328-3474

Transaction ID : VQZ71A22ES1

Purpose of Disbursement  
Shipping

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

18.91

[MEMO ITEM]

Office Sought: ☐ House ☐ Senate ☐ President

Disbursement For: ☐ Primary ☐ General ☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

C. Cameron Beilly

Date of Disbursement

Mailing Address 907 SE 7th St

12 / 16 / 2015

City Fort Lauderdale State FL Zip Code 33301-3021

Transaction ID : VQZ71A476G8

Purpose of Disbursement  
Reimbursement (Vendors that Aggregate Over \$200 Listed Below)

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

109.12

Office Sought: ☐ House ☐ Senate ☐ President

Disbursement For: ☐ Primary ☐ General ☐ Other (specify) ▼

State: District:

SUBTOTAL of Disbursements This Page (optional).....▶

109.12

TOTAL This Period (last page this line number only).....▶

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 16 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Cameron Beilly

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
12			16			2015					

Mailing Address 907 SE 7th St

City	State	Zip Code
Fort Lauderdale	FL	33301-3021

Purpose of Disbursement  
Mileage Reimbursement

Candidate Name

Category/  
TypeOffice Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Transaction ID : VQZ71A4HKG6

Amount of Each Disbursement this Period

71.30

[MEMO ITEM]

Full Name (Last, First, Middle Initial)

B. UPS

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
12			16			2015					

Mailing Address 55 Glenlake Pkwy

City	State	Zip Code
Atlanta	GA	30328-3474

Purpose of Disbursement  
Shipping

Candidate Name

Category/  
TypeOffice Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Transaction ID : VQZ71A4HKE0

Amount of Each Disbursement this Period

18.91

[MEMO ITEM]

Full Name (Last, First, Middle Initial)

C. UPS

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
12			16			2015					

Mailing Address 55 Glenlake Pkwy

City	State	Zip Code
Atlanta	GA	30328-3474

Purpose of Disbursement  
Shipping

Candidate Name

Category/  
TypeOffice Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Transaction ID : VQZ71A4HKF8

Amount of Each Disbursement this Period

18.91

[MEMO ITEM]

SUBTOTAL of Disbursements This Page (optional).....▶

0.00

TOTAL This Period (last page this line number only).....▶

<input checked="" type="checkbox"/>	21b	<input type="checkbox"/>	22	<input type="checkbox"/>	23	<input type="checkbox"/>	24	<input type="checkbox"/>	25	<input type="checkbox"/>	26
<input type="checkbox"/>	27	<input type="checkbox"/>	28a	<input type="checkbox"/>	28b	<input type="checkbox"/>	28c	<input type="checkbox"/>	29	<input type="checkbox"/>	30b

FEC Schedule B (Form 3X) Rev. 02/2003

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 18 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Jessica Clark

Date of Disbursement

MM	DD	YYYY
09	28	2015

Mailing Address 1489 Charmont Pl

Transaction ID : VQZ719ZSSE4

City	State	Zip Code
Fort Myers	FL	33919-6917

Amount of Each Disbursement this Period

Purpose of Disbursement  
Consultant - FundraisingCategory/  
Type

Candidate Name

Office Sought:	House	Disbursement For:	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
	Senate		
	President		
State:	District:		

7000.00

Full Name (Last, First, Middle Initial)

B. Jessica Clark

Date of Disbursement

MM	DD	YYYY
09	28	2015

Mailing Address 1489 Charmont Pl

Transaction ID : VQZ719ZSSF2

City	State	Zip Code
Fort Myers	FL	33919-6917

Amount of Each Disbursement this Period

Purpose of Disbursement  
Reimbursement (Vendors that aggregate over \$200 listed below)Category/  
Type

Candidate Name

Office Sought:	House	Disbursement For:	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
	Senate		
	President		
State:	District:		

32.39

Full Name (Last, First, Middle Initial)

C. Jessica Clark

Date of Disbursement

MM	DD	YYYY
10	28	2015

Mailing Address 1489 Charmont Pl

Transaction ID : VQZ71A16RG3

City	State	Zip Code
Fort Myers	FL	33919-6917

Amount of Each Disbursement this Period

Purpose of Disbursement  
Consultant - FundraisingCategory/  
Type

Candidate Name

Office Sought:	House	Disbursement For:	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
	Senate		
	President		
State:	District:		

7000.00

SUBTOTAL of Disbursements This Page (optional).....▶

14032.39

TOTAL This Period (last page this line number only).....▶

1204443000000

# **SCHEDULE B (FEC Form 3X)** **ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 19 OF 24

☒ 21b ☐ 22 ☐ 23 ☐ 24 ☐ 25 ☐ 26  
☐ 27 ☐ 28a ☐ 28b ☐ 28c ☐ 29 ☐ 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Jessica Clark

Date of Disbursement

11 / 23 / 2015

Mailing Address 1489 Charmont Pl

City State Zip Code  
Fort Myers FL 33919-6917

Purpose of Disbursement  
Consultant - Fundraising

Candidate Name

Category/  
Type

Transaction ID : VQZ71A261C6

Amount of Each Disbursement this Period

7000.00

Office Sought: ☐ House ☐ Senate ☐ President  
 State: District:

Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

Full Name (Last, First, Middle Initial)

B. Mercury Public Affairs, LLC

Date of Disbursement

08 / 05 / 2015

Mailing Address 250 Greenwich St  
FI 36

City State Zip Code  
New York NY 10007-0040

Purpose of Disbursement  
Consultant - Strategy

Candidate Name

Category/  
Type

Transaction ID : VQZ719QJ3E7

Amount of Each Disbursement this Period

8500.00

Office Sought: ☐ House ☐ Senate ☐ President  
 State: District:

Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

Full Name (Last, First, Middle Initial)

C. Mercury Public Affairs, LLC

Date of Disbursement

09 / 01 / 2015

Mailing Address 250 Greenwich St  
FI 36

City State Zip Code  
New York NY 10007-0040

Purpose of Disbursement  
Consultant - Strategy

Candidate Name

Category/  
Type

Transaction ID : VQZ719YCK30

Amount of Each Disbursement this Period

8500.00

Office Sought: ☐ House ☐ Senate ☐ President  
 State: District:

Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

SUBTOTAL of Disbursements This Page (optional).....▶

24000.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 20 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Mercury Public Affairs, LLC

Date of Disbursement

09	01	2015
----	----	------

Mailing Address 250 Greenwich St  
FI 36

City	State	Zip Code
New York	NY	10007-0040

Transaction ID : VQZ719YCKG3

Purpose of Disbursement  
Reimbursement (Vendors that aggregate over \$200 listed below)

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

865.42

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For:  
☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

B. US Airways

Date of Disbursement

09	01	2015
----	----	------

Mailing Address 4333 Amon Carter Blvd

City	State	Zip Code
Fort Worth	TX	76155-2605

Transaction ID : VQZ719YCKX5

Purpose of Disbursement  
Travel

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

302.20

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For:  
☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

C. Westin

Date of Disbursement

09	01	2015
----	----	------

Mailing Address 1400 M St NW

City	State	Zip Code
Washington	DC	20005-2704

Transaction ID : VQZ719YCKV9

Purpose of Disbursement  
Travel

Amount of Each Disbursement this Period

Candidate Name

Category/  
Type

318.42

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For:  
☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

SUBTOTAL of Disbursements This Page (optional).....▶

865.42

TOTAL This Period (last page this line number only).....▶



**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 21 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

**A. Mercury Public Affairs, LLC**Mailing Address 250 Greenwich St  
Fl 36

City New York State NY Zip Code 10007-0040

Purpose of Disbursement  
Consultant - Strategy

Candidate Name

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Date of Disbursement

10 / 09 / 2015

Transaction ID : VQZ71A16MV1

Amount of Each Disbursement this Period

8500.00

Full Name (Last, First, Middle Initial)

**B. Mercury Public Affairs, LLC**Mailing Address 250 Greenwich St  
Fl 36

City New York State NY Zip Code 10007-0040

Purpose of Disbursement  
Reimbursement (Vendors that Aggregate Over \$200 Listed Below)

Candidate Name

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Date of Disbursement

10 / 09 / 2015

Transaction ID : VQZ71A16MW9

Amount of Each Disbursement this Period

149.16

Full Name (Last, First, Middle Initial)

**C. Next Level Partners, LLC**Mailing Address 410 1st St SE  
Ste 310

City Washington State DC Zip Code 20003-1819

Purpose of Disbursement  
Consultant - Compliance

Candidate Name

Office Sought: ☐ House  
☐ Senate  
☐ PresidentDisbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Date of Disbursement

07 / 20 / 2015

Transaction ID : VQZ719Q2B96

Amount of Each Disbursement this Period

1300.00

SUBTOTAL of Disbursements This Page (optional).....▶

9949.16

TOTAL This Period (last page this line number only).....▶

# **SCHEDULE B (FEC Form 3X)** **ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 22 OF 24

☒ 21b ☐ 22 ☐ 23 ☐ 24 ☐ 25 ☐ 26  
☐ 27 ☐ 28a ☐ 28b ☐ 28c ☐ 29 ☐ 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

## **A. Next Level Partners, LLC**

Date of Disbursement

09 / 01 / 2015

Mailing Address 410 1st St SE  
Ste 310

City State Zip Code  
Washington DC 20003-1819

Purpose of Disbursement  
Consultant - Compliance

Candidate Name

Category/  
Type

Transaction ID : VQZ719YCK06

Amount of Each Disbursement this Period

1300.00

Office Sought: ☐ House ☐ Senate ☐ President  
Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

## **B. Next Level Partners, LLC**

Date of Disbursement

10 / 06 / 2015

Mailing Address 410 1st St SE  
Ste 310

City State Zip Code  
Washington DC 20003-1819

Purpose of Disbursement  
Consultant - Compliance

Candidate Name

Category/  
Type

Transaction ID : VQZ71A16MT3

Amount of Each Disbursement this Period

650.00

Office Sought: ☐ House ☐ Senate ☐ President  
Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

## **C. Next Level Partners, LLC**

Date of Disbursement

11 / 19 / 2015

Mailing Address 410 1st St SE  
Ste 310

City State Zip Code  
Washington DC 20003-1819

Purpose of Disbursement  
Consultant - Compliance

Candidate Name

Category/  
Type

Transaction ID : VQZ71A245Q3

Amount of Each Disbursement this Period

650.00

Office Sought: ☐ House ☐ Senate ☐ President  
Disbursement For: ☐ Primary ☐ General  
☐ Other (specify) ▼

State: District:

SUBTOTAL of Disbursements This Page (optional).....▶

2600.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 23 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. NGP VAN, Inc.

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
0	7		0	9		2	0	1	5		

Mailing Address 1101 15th St NW  
Ste 500

City	State	Zip Code
Washington	DC	20005-5006

Purpose of Disbursement  
Software

Candidate Name

Category/  
Type

Transaction ID : VQZ719Q1CK9

Amount of Each Disbursement this Period

447.00

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President
State:	District:

Disbursement For:	<input type="checkbox"/> Primary	<input type="checkbox"/> General
	<input type="checkbox"/> Other (specify) ▼	

Full Name (Last, First, Middle Initial)

B. NGP VAN, Inc.

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
1	0		0	1		2	0	1	5		

Mailing Address 1101 15th St NW  
Ste 500

City	State	Zip Code
Washington	DC	20005-5006

Purpose of Disbursement  
Software

Candidate Name

Category/  
Type

Transaction ID : VQZ71A16MS5

Amount of Each Disbursement this Period

447.00

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President
State:	District:

Disbursement For:	<input type="checkbox"/> Primary	<input type="checkbox"/> General
	<input type="checkbox"/> Other (specify) ▼	

Full Name (Last, First, Middle Initial)

C. Kevin Sanford

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
0	8		2	0		2	0	1	5		

Mailing Address 2401 S Lois Ave

City	State	Zip Code
Tampa	FL	33629-5607

Purpose of Disbursement  
Consultant - Graphic Design

Candidate Name

Category/  
Type

Transaction ID : VQZ719X2PK0

Amount of Each Disbursement this Period

250.00

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President
State:	District:

Disbursement For:	<input type="checkbox"/> Primary	<input type="checkbox"/> General
	<input type="checkbox"/> Other (specify) ▼	

SUBTOTAL of Disbursements This Page (optional).....▶

1144.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 24 OF 24

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Floridians for a Strong Middle Class

Full Name (Last, First, Middle Initial)

A. Trister, Ross, Schadler &amp; Gold, PLLC

Date of Disbursement

07	09	2015
----	----	------

Mailing Address 1666 Connecticut Ave NW  
Ste 5

City	State	Zip Code
Washington	DC	20009-1039

Purpose of Disbursement  
Legal Services

Candidate Name

Category/  
Type

Transaction ID : VQZ719Q1CN5

Amount of Each Disbursement this Period

7587.50

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President

Disbursement For:
<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

B. UPS

Date of Disbursement

07	16	2015
----	----	------

Mailing Address 55 Glenlake Pkwy

City	State	Zip Code
Atlanta	GA	30328-3474

Purpose of Disbursement  
PO Box Rental

Candidate Name

Category/  
Type

Transaction ID : VQZ719Q1XC9

Amount of Each Disbursement this Period

185.00

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President

Disbursement For:
<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)

C.

Date of Disbursement

--	--	--

Mailing Address

City	State	Zip Code
------	-------	----------

Purpose of Disbursement

Candidate Name

Category/  
Type

Amount of Each Disbursement this Period

Office Sought:	<input type="checkbox"/> House
	<input type="checkbox"/> Senate
	<input type="checkbox"/> President

Disbursement For:
<input type="checkbox"/> Primary <input type="checkbox"/> General
<input type="checkbox"/> Other (specify) ▼

State: District:

SUBTOTAL of Disbursements This Page (optional).....▶

7772.50

TOTAL This Period (last page this line number only).....▶

81568.46

**EXHIBIT 10**

FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS**Detail by Entity Name****Florida Limited Partnership****PRIDE UNITED LIMITED PARTNERSHIP****Filing Information**

<b>Document Number</b>	<b>A96000002203</b>
<b>FE/EIN Number</b>	<b>65-0728320</b>
<b>Date Filed</b>	<b>12/03/1996</b>
<b>State</b>	<b>FL</b>
<b>Status</b>	<b>INACTIVE</b>
<b>Last Event</b>	<b>ADMIN DISSOLUTION FOR ANNUAL REPORT</b>
<b>Event Date Filed</b>	<b>09/25/2015</b>
<b>Event Effective Date</b>	<b>NONE</b>

**Principal Address****2139 PALM BEACH LAKES BLVD.  
WEST PALM BEACH, FL 33409****Mailing Address****2139 PALM BEACH LAKES BLVD.  
WEST PALM BEACH, FL 33409****Registered Agent Name & Address****SCAROLA, JOHN  
2139 PALM BEACH LAKES BLVD.  
WEST PALM BEACH, FL 33409****General Partner Detail****Name & Address****Document Number P96000095506****SDSB&S REALTY CORP.  
2139 PALM BEACH LAKES BLVD.  
WEST PALM BEACH, FL 33409****Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
<b>2012</b>	<b>04/03/2012</b>
<b>2013</b>	<b>04/03/2013</b>
<b>2014</b>	<b>03/05/2014</b>

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FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS



### Detail by Entity Name

**Florida Limited Liability Company**

**CHIC BOUTIQUE, LLC**

### Filing Information:

<b>Document Number</b>	L15000030466
<b>FEVEIN Number</b>	NONE
<b>Date Filed</b>	02/18/2015
<b>Effective Date</b>	02/17/2015
<b>State</b>	FL
<b>Status</b>	ACTIVE

**Principal Address**

**272 2D STREET WEST  
TIERRA VERDE, FL 33715**

**Mailing Address**

**272 2D STREET WEST  
TIERRA VERDE, FL 33715**

**Registered Agent Name & Address**

**SAVAGE, ROBERT**  
**412 EAST MADISON STREET**  
**SUITE 1120**  
**TAMPA, FL 33602**

### **Authorized Person(s) Detail**

**Name & Address****Title MGRM**

**PALMER, DUSITA**  
**272 2ND STREET WEST**  
**TIERRA VERDE, FL 33715**

## Annual Reports

### No Annual Reports Filed

## Document Images

**02/18/2015 – Florida Limited Liability**

**View Image in PDF format**

**3/22/2018**

### Detail by Entity Name

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State of Florida, Department of State

**THE UNIVERSITY OF CHICAGO**

170444N0001

**EXHIBIT 12**

# MIS0000009419

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

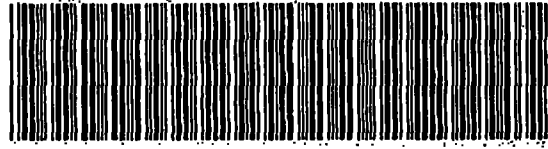
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



700277883337

10/09/15--01019--009 \*\*125.00

FILED  
2015 NOV 23 PM 12:20  
RECEIVED  
FALLSVILLE, PA

N. Culligan NOV 23 2015

**COVER LETTER**

**TO: Registration Section  
Division of Corporations**

Chic.Boutique, LLC

**SUBJECT:** \_\_\_\_\_  
Name of Limited Liability Company

The enclosed "Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida," Certificate of Existence, and check are submitted to register the above referenced foreign limited liability company to transact business in Florida..

Please return all correspondence concerning this matter to the following:

Pat Harris

\_\_\_\_\_  
Name of Person

Allied Capital and Development of South Florida, LLC

\_\_\_\_\_  
Firm/Company

115 Front Street, Suite 300

\_\_\_\_\_  
Address

Jupiter, Florida 33477

\_\_\_\_\_  
City/State and Zip Code

pat@acdofsouthflorida.com

\_\_\_\_\_  
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Pat Harris

561

983-4465

at ( )

\_\_\_\_\_  
Name of Contact Person

\_\_\_\_\_  
Area Code

\_\_\_\_\_  
Daytime Telephone Number

**MAILING ADDRESS:**

Division of Corporations  
Registration Section  
P.O. Box 6327  
Tallahassee, FL 32314

**STREET ADDRESS:**

Division of Corporations  
Registration Section  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

Enclosed is a check for the following amount:

☒ \$125.00 Filing Fee

☐ \$130.00 Filing Fee &  
Certificate of Status

☐ \$155.00 Filing Fee &  
Certified Copy

☐ \$160.00 Filing Fee, Certificate  
of Status & Certified Copy



**FLORIDA DEPARTMENT OF STATE**  
**Division of Corporations**

October 12, 2015

**PAT HARRIS**  
**ALLIED CAPITAL & DEVELOPMENT OF S FLA LL**  
**115 FRONT STREET, SUITE 300**  
**JUPITER, FL 33477**

**SUBJECT: CHIC BOUTIQUE FASHION, LLC**  
**Ref. Number: W15000067518**

We have received your document for CHIC BOUTIQUE FASHION, LLC and your check(s) totaling \$125.00. However, the document has not been filed and is being retained in this office for the following:

A certificate of existence or a certificate of good standing, dated no more than 90 days prior to the delivery of the application to the Department of State, duly authenticated by the secretary of state or other official having custody of the records in the jurisdiction under the laws of which it is incorporated/organized, must be submitted to this office. A translation of the certificate under oath of the translator must be attached to a certificate which is in a language other than the English language. A photocopy of this certificate is not acceptable.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6051.

**Neysa Culligan**  
**Regulatory Specialist II**

**Letter Number: 715A00021548**

17004444694

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS  
IN FLORIDA

IN COMPLIANCE WITH SECTION 605.0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY  
COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. Chic Boutique, LLC  
(Name of Foreign Limited Liability Company; must include "Limited Liability Company," "L.L.C.," or "LLC.")  
Chic Boutique Fashion, LLC

(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida. The alternate name must include "Limited Liability Company," "L.L.C.," or "LLC.")

2. Delaware  
(Jurisdiction under the law of which foreign limited liability company is organized)

3. Applied for  
(FEI number, if applicable)

4. October 10, 2015  
(Date first transacted business in Florida, if prior to registration.)  
(See sections 605.0904 & 605.0905, F.S. to determine penalty liability)

5. 5123 Isabella Drive  
Palm Beach Gardens, FL 33418  
(Street Address of Principal Office)

6. 5123 Isabella Drive  
Palm Beach Gardens, FL 33418  
(Mailing Address)

7. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

Name: Mark A. Giresi  
Office Address: 115 Front Street, Suite 300  
Jupiter, Florida 33477  
(City) (Zip code)

Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

  
(Registered agent's signature)

8. The name, title or capacity and address of the person(s) who has/have authority to manage is/are:

Lisa Giresi, Manager

Mark A. Giresi, Manager

9. Attached is a certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

  
Signature of an authorized person

This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

Mark A. Giresi

Typed or printed name of signer

170444M00001

FILED  
2015 NOV 23 PM 12:20  
TALLAHASSEE, FLORIDA

# Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY "CHIC BOUTIQUE, LLC" IS DULY FORMED  
UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND  
HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS  
OF THE NINETEENTH DAY OF NOVEMBER, A.D. 2015.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN  
PAID TO DATE.



5823956 8300

SR# 20150996580

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 10460084

Date: 11-19-15